

S P E E C H
OF THE
RT. HON. W. E. GLADSTONE,
ON THE
“A D D R E S S,”

Tuesday, February 4, 1845.

FROM HANSARD'S PARLIAMENTARY DEBATES.

Mr. GLADSTONE spoke as follows: I am aware, Sir, it would be inexcusable on my part if I were to endeavour to relieve my right hon. Friend at the head of the Government from the task of replying to those numerous imputations which the noble Lord has thought it right to throw upon the Government in the course of his Speech. I rise with a different purpose. My object in offering myself to the House is, to give an explanation of what relates more immediately to myself. I should not, however, venture upon such a step if it were not that I feel the acts of public men to be acts in which the public at large have a great concern; and therefore, although it be irksome and offensive to detain a public assembly charged with high functions by matters in which self occupies too prominent a position, my purpose is, in point of fact, to remove misunderstandings and misapprehensions which, without some explanation, might exist, and which, relating to others as well as to myself, might prejudicially affect the public interests. Before I proceed, however, the

noble Lord opposite will, I hope, allow me to thank him for the kind terms in which, notwithstanding the great differences of opinion, as well as those of station and ability between us, he has thought fit to make reference to me in the course of his speech.

Now, Sir, I have felt myself placed in a situation in which it is difficult to reconcile apparently conflicting duties. On the one hand, I freely and entirely recognize the claim of this House to be informed, and to be fully and rightly informed, of the motives which lead Members of the House either to accept office under the Crown, or to undertake the scarcely less grave responsibility of quitting it; and, therefore, I cannot refuse to attempt giving some account of what has recently occurred with respect to myself. On the other hand, I feel that great inconvenience would arise if I were to attempt any detailed exposition having reference, as must necessarily be the case, to measures which have not yet come under the consideration of Parliament. I shall, therefore, endeavour to state, simply and frankly, the motives which have actuated me in the step to which I have had recourse. But here I must appeal specially to the indulgence of the House, to receive what I have to say, not as a controversial statement, not as an argumentative defence, but merely as a representation which I trust will suffice to prevent misapprehensions that might be mischievous, and yet will not lead to the premature discussion of subjects regarding which much angry feeling might perhaps be awakened. Further, I am anxious to observe that in what I am about to say, I have no blame to attach

to any one. I have acted according to what appeared to me to be the exigency of the case, and what was demanded by my own position, which I felt to be in some respects different from that of other Members of the Government; and I trust, if a syllable should fall from me which should even seem to reflect upon those I regard and esteem, it will be put aside as if it had been unsaid. At all events, I may combine one object of public utility with the statement I have to make. I can state at least what has not been the cause of my resignation, and thus put an end to rumours that appeared to have gone abroad. I have not, as has been supposed, resigned on account of any matter connected with that department of the Public Service of which I had the honour of being entrusted with the charge. I have not resigned on account of the intentions of the Government, so far as I have a knowledge of its intentions, with regard to any matter affecting the Church of England or the Church of Ireland. The cause, then, I am about to lay before the House is the sole cause which has led to the step I have adopted. And now again, I am driven to the necessity of adverting to myself, and to what I have said and done in former days. I have taken upon myself, some years ago, whether wisely or unwisely is not now the question, to state to the world, and that in a form the most detailed and deliberate, not under the influence of momentary consideration, nor impelled by the heat and pressure of debate, but in a published treatise, the views which I entertained on the subject of the relation of a Christian State to Religion and to the Christian Church. Of

all subjects, therefore, which could be raised for public consideration, this, in its ultimate results at least the most important, I have treated in a manner the most detailed and deliberate. I have never, indeed, been guilty of the folly which has been charged upon me by some, of holding that there are any theories of political affairs, even in this their highest department, which are to be regarded alike under all circumstances as inflexible and immutable. But on the other hand, I have a strong conviction, speaking under ordinary circumstances, and as a general rule, that those who have thus borne the most solemn testimony to a particular view of a great constitutional question, ought not to be parties responsible for proposals which involve a material departure from them. Now, Sir, it cannot fail to be in the recollection of the House, that my right hon. Friend at the head of the Government did, towards the close of the last Session, allude to inquiries he was about to make into the possibility of extending Academical Education in Ireland, and he indicated the spirit in which that important matter might be examined. I am not even now in possession of the matured and particular intentions of the Government, and can only refer to them so far as they are known to me. I am, however, bound to say, in regard to what I believe the Government to contemplate with respect to the Roman Catholic College of Maynooth—a subject to which my right hon. Friend made distinct allusion—that I know nothing beyond what might allowably at least, though not necessarily, have been inferred from the intimations then made by my right hon. Friend. But these intima-

tions pointed to a measure at variance with the system which I had maintained and recommended as the best and most salutary scheme for the regulation of the relations between a Christian State and the Christian Religion, and which I still believe to be the most salutary and the best in every condition of the public sentiment, that will bear its application. I am very far from intending that no departure had already been made from that scheme; I do not stop at this time to inquire whether the occasion was sufficient to justify my act; whether in its immediate magnitude, and in the consequences it might involve, it justly appeared to me to open up a new series of changes: suffice it to say, I thought it a material alteration of that which upon its own merits I had presumed to recommend. I therefore held it on the one hand to be my duty, whenever such a measure should come before the House, to apply my mind to its consideration free from every slavish regard to a mere phantom of consistency, and with the sole and single view of arriving at such a conclusion as upon the whole the interests of the country and the circumstances of the case might seem to demand. But, on the other hand, it is one thing to discharge that duty for myself, and from myself, in a position apart from office,—it is quite another question whether, considering what I had declared, and the manner in which I had declared it, it would have been right, or would have served in any degree to accredit the proposal of my right hon. Friend, if I, as a Minister of the Crown, had been a party to his proposal. Again I tell the House, I am sensible how infirm my judgment is in

all matters, and how easily I might have erred in one so complex as this, and involving the balance of so many and such different considerations. But still it has been my conviction, that although I was not to fetter my discretion as a Member of Parliament by a reference to theories which it had become impossible to realize, yet on the other hand it was absolutely due to the public, due to my public character, due to those terms on which alone general confidence can be reposed in public men, that I should under such circumstances, and in so important a matter, place myself, so far as in me lay, in a position to form not only an honest, but likewise an independent and an unsuspected judgment. On this account, Sir, it is that I have taken a course most painful to myself in respect to personal feelings, and have separated myself from men with whom, and under whom, I have long acted in public life, and of whom, I am bound to say, although I have now no longer the honour of serving our most gracious Sovereign in association with them, that I continue to view them with unaltered sentiments both of public regard and private attachment. I have now stated, Sir, as I trust, so much as is necessary to convey to the House a general view of the motives of my conduct. Still there is one remark which I must make before I sit down, or I should not adequately discharge my present duty. We all well know that the subject of the Roman Catholic Religion, the Roman Catholic Church in Ireland, and especially the Roman Catholic College of Maynooth, is related to a large

mass of excitable sentiment in this country; and as I have been compelled by what I feel to be my public duty, to advert to measures relating to that College as the cause of my retirement from office, I do feel it to be my duty also, at the same moment, distinctly to say that I am not prepared to take part in any religious warfare against a proposition such as I anticipate from my right hon. Friend. I can understand, and I have even ventured to vindicate, as the most excellent and true, in a state of society able to appreciate its truth, the principle upon which a Christian State allies itself for religious purposes with the Christian Church, and with the Christian Church alone; but if the time has come when, owing to the great advance of religious divisions, and likewise owing to a very great modification of political sentiments, what remains of that system must be further infringed, then I cannot undertake to draw any line of distinction unfavourable to my Roman Catholic fellow subjects in Ireland in particular. And I fervently and earnestly trust that if we are to change the policy of the State, and to substitute for the former practice of the Constitution one that gives a more indiscriminating support, then the Irish Roman Catholics will not be selected for proscription, but that they will be regarded as having a title to the favour of the Legislature upon a footing similar to that of other Christian professions differing from the Church. I have here said nothing of the expediency of the measure which my right hon. Friend proposes to introduce, because I feel that it ought not to be prejudged, but receive a calm and deliberate consideration when it comes properly before the House.

But I wish again, and most distinctly, to state that I am not prepared to take part in any religious warfare against that measure, such as I believe it may be, or to draw a distinction between the Roman Catholics and other denominations of Christians, with reference to the religious opinions which each of them respectively may hold. I do not know that I have anything to add. I wished to explain upon what ground I desired, as a matter of duty and of deference to the public, to quit my office. I wished to claim for myself prospectively, an entire liberty of judgment. I wished to state distinctly that I have no blame to cast upon my right hon. Friend, or upon the Government, with respect to any dereliction of their character and professions in any intentions they entertain, so far as I am acquainted with them. I have now only to thank the House for their indulgence in listening to me. I have made no reserves in my statement; but I have endeavoured to lay my motives frankly and fully before the House; and having in pursuance of what I thought my duty returned to the position of an independent Member of Parliament, I shall in that position consider myself bound to apply my mind to the examination of any proposal which may be made to us, with the single desire of acting as the public welfare may require.

SPEECH

OF THE

RIGHT HON. W. E. GLADSTONE,

ON

THE SECOND READING

OF THE

DISSENTERS' CHAPELS BILL,

ON THE 6TH OF JUNE 1844.

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DISSENTERS' CHAPELS BILL.

I AM bound, Sir, to offer my sincere apologies to the House, for presuming to address them in relation to a subject which does not come within my own peculiar official department. But as this is a question which is considered by the public to bear an intimate relation to the interests of religion—as it is a question with respect to which my right honourable friend at the head of Her Majesty's Government and his colleagues have been supposed—I believe in perfect sincerity—by many parties, to have shewn a most culpable disregard of the interests of religion—as I have thought it my duty to look into the question, and to examine the whole subject with the most scrupulous anxiety and with the best attention in my power,—and as I have made up my mind that this is a Bill which it is absolutely incumbent upon this House to pass, unless they are willing that it should be believed that they are indifferent to the sacred principles of justice, I desire to take my share in any responsibility which may attend the proposal and support of this measure.

Now allow me to say, in the first instance, that I distinguish broadly between the substantial purpose which we have in view, and the precise form of the legal instrument by which it is proposed to effect that purpose. It would be most presumptuous in me if I were to deliver any opinion, as to the particular language in which the Bill or the particular clauses of the Bill are framed. Into those questions I shall not venture to enter. I have before me a great question of justice. That question I apprehend to be in substance, whether those who are called in England Presbyterian Dissenters, and who were, I believe, a century and a half ago, universally of what are called Trinitarian sentiments in religion, ought or ought not, being now generally Unitarians, to be protected at the present moment in the possession of the chapels which they hold, with the appurtenances

to those chapels. Now that is a substantial question of justice, and upon that question I venture to entertain the strongest opinion.

Now, Sir, let me observe, that really the speeches against the Bill delivered in this debate by my honourable friend the Member for the University of Oxford, and by the right honourable gentleman the Member for Perth, have not contained, I would almost say, one syllable of argument against the principles of the Bill. I bear a most willing testimony to the temper of those speeches. Nothing could be more satisfactory than the spirit which dictated them, and it is not from those gentlemen that we shall have the religious character of Unitarianism brought in and urged upon us as a reason for rejecting this measure. I heard the honourable Member for the University of Oxford, and the right honourable gentleman opposite, make use of various arguments as to the effect which particular parts of this Bill would have on particular parties, but neither of them at all approached the question in a general view, whether or not Unitarians ought to be protected in the possession of their chapels. Now I wish to throw aside every issue which is unimportant, or with respect to which we are not in dispute. I do not enter at all into the inquiry whether Unitarians ought to be protected in the possession of property originally given specifically for Unitarian purposes. Of that I apprehend there cannot be a doubt. But what I am prepared to argue is, that though the original founders of these meeting-houses may have been, and were, in the vast majority of instances, persons entertaining Trinitarian opinions, yet that on principles of justice the present holders of the property, being Unitarians, ought to be protected in the enjoyment of it.

But, Sir, there is an exception to the general statement I have made, that the objections to the Bill have been confined to matters of detail: my honourable friend, the Member for Kent, attacked the principle of the Bill; but he touched it, he must allow me to say, in the way of mere assertion and assumption. He used indeed strong, very strong language. He first said that the objection offered to this Bill was an opposition of a class

raacter to which the Government ought to pay respect, and out of respect to which they ought to withdraw the Bill. I trust that the Government do pay respect to every opposition which is conscientiously offered and fairly conducted. I believe that this opposition has been so offered, and I believe that it has arisen much less from a disposition to theological animosity, than from misapprehension and unacquaintance with the facts. I therefore respect the opposition to the Bill: but I deem it nevertheless my duty to support it upon its merits.

But, Sir, my honourable friend went on to say that this Bill offers an insult to the feelings of religious persons. I know that no particle of bitterness enters into his composition; but if this be a Bill required by the principles of justice, then, so far from the passing of it being an insult to the Christian feelings of the people of England, the Christian feelings of the people of England should require us to pass the Bill. And I am persuaded that the Christian feeling of the people, when they possess more full and adequate information upon this subject, and when it shall have been further discussed, would induce them to call upon the House to give full effect to the principles embodied in this Bill. I must say, I think that great prejudice has been excited in the public mind from some undefined association between the purposes of the Bill and the case of Lady Hewley's bequest. I think it has been hastily and rashly assumed—one cannot be surprised at it—that this Bill is intended substantially to prevent the doing again what was done in Lady Hewley's case. Without pretending to look with a legal eye upon this question, I am sure that I shall be borne out by lawyers when I say, that there is a broad distinction between the case of Lady Hewley's charity and the general class of cases to which this Act is to apply. Lady Hewley was a foundress. There can be no doubt of that. She devoted a large portion of her property in trust to be administered according to her will, and for certain purposes. But are the parties who instituted the chapels to which this Bill refers, founders at all? I ask that question—whether they are in the eyes of the law entitled to be considered as founders at all? I apprehend that they were parties not

devoting their property for the benefit of others, but parties devoting it to their own purposes during their lifetime, though undoubtedly after their death that property would descend to others. I believe that the difference between the cases is broad and practical, and that the right which a founder has to have his intentions ascertained, respected, and preserved, is a right of a nature entirely different from that which may be possessed by any persons who associate together to form a body, who are to be the first to enjoy the benefits arising from that association, and which body is to be propagated by the successive entrance of new members, in the natural course of mortality, through the following generations. I must be permitted to say also that, in the case of Lady Hewley, it cannot be said, as I think, that there was no indication of the intentions of the foundress. Lady Hewley made reference to the Apostles' Creed, to the Ten Commandments, and to the Lord's Prayer, and not only to these, but to the Catechism of Mr. Bowles, a Catechism of Anti-Unitarian doctrines, and one going extensively into detail upon those doctrines. This at least applies to one of the deeds which she executed—the deed of 1707, connected with the alms-houses. But we are now dealing with cases in which there are no clear intentions of the founders specified; therefore I do trust and beg that honourable gentlemen will put altogether out of their mind the case of Lady Hewley, and that they will consider this question quite apart from the merits of that case.

Now let me state to the House the main and summary allegations which are principally relied on both by the Defenders and by the Opponents of the Bill. In a petition from a body entitled "The General Assembly of General Baptist Churches," which I have to-night presented to the House in favour of the Bill, the parties state their case to be that they have a good moral title to the property in question, which good moral title is at present endangered by a mere technical rule of law. The parties who oppose the Bill (I quote from the pamphlet of Mr. Lysons, who states his case very clearly) hold the following propositions. "The Law says that the will of the founder is to be observed; this Bill says that the will of the founder is not to

be observed." For the moment, I pass by the question whether these parties were founders or not founders, only observing, that if they were not founders, it is impossible for you to make out that any change in the form of doctrine professed in the chapels, can constitute a breach of trust. If they were the mere representatives of the first partners or associates in these congregations, I believe it would be impossible for you to raise even the faintest presumption, that there was any obligation whatever incumbent upon the congregations in succeeding times to perpetuate the presumed opinions of those first associates. But I am not content to stand upon that ground. I do not think it necessary even to stand upon the ground taken by my right honourable friend, the Member for Edinburgh. I think that in a part of the very able speech which he has made to-night, he appeared to allow that there might originally have been a case of fraud, and yet that the parties in possession might be permitted to retain that possession. This may be true, but I confess I do not think that in taking our stand upon such a proposition, we do full justice to the case. I confess, for my own part, that if it could be shewn to my satisfaction that there was a case of fraud, even though committed long ago, I should view the matter as one of considerable difficulty. If, indeed, this were proved, there would still remain many matters which I could not dismiss from my mind. I should still have to consider the position in which the present holders stand,—I should consider that they, and even those who have immediately preceded them, are on all hands allowed to be innocent both in act and in intention—I should take into view the length of time during which their opinions have prevailed—I should not forget that they are the personal successors and the personal lineal descendants of the original institutors of these chapels, and that they are naturally and laudably attached to the memorials of their dead and to the place of their remains—I must remember, too, the enormous difficulty, at the present moment, of finding a claimant with a good title to the property—I should consider also the gross scandal to which litigation on such matters is likely to give rise, and to which, as it

appears, it has actually given rise;—and I must say, without wishing to give offence to any man, that I should also have to consider this—that while for a hundred years, upon the average, Unitarian principles have been preached in these chapels, the classes of persons now coming forward and claiming to be the rightful possessors of them, have endured in silence that abuse, (as they deem it,) of the trusts—have fought, side by side, and shoulder to shoulder, with Unitarians, in their struggle for civil franchises—have derived great benefit from the co-operation of Unitarians in the acquisition of those advantages, and have not taken any step during three or four generations to put an end to a misapplication of the funds of those chapels which have been originally endowed for other than Unitarian purposes; and therefore, Sir, I should still feel that if there has been a breach of trust, the case was one of a most painful and difficult description. But the main question still is this, has there been a breach of trust and a violation of the intentions of the founder? Now the custom out of doors has been, not to *shew* what have been the intentions of the founder, but to *assume* them. The custom has been to say, that the first institutors of these chapels believed in the doctrine of the Holy Trinity, and then at once to pass to the conclusion, that therefore Unitarians are disqualified from holding them. But that is leaping over the whole argument. Upon that subject I join issue with them. So far from saying, as Mr. Evans says, that “the present law says the will of the founder is to be observed, whereas the present Bill says that the will of the founder is not to be observed,” I say that, according to the present law, the real will of the founders will be set aside unless the Legislature interfere to prevent it by passing this Bill. That position, I am aware, raises an historical question of great importance. It appears to me that if you intend to shew that the Unitarians are disqualified, you must shew in the first place both that the trustees hold under the original institutors of these chapels as under founders, and over and above that first question, which I pass by as a question bearing more of a legal character, it is likewise absolutely necessary you should shew that the vast mass of those parties who first associated together

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was to bind their posterity permanently to the same profession of faith as that which they themselves possessed. Now it is there that you will find, as I am persuaded, an insuperable difficulty. You are dealing with the case of a body, which, if you examine its history, you will find was from generation to generation, almost from year to year, during the seventeenth and eighteenth centuries, in a state of perpetual change; and it affords no argument at all, and will only tend to bewilder and mislead the judgment, if you go back to the writings of the ancient Puritans, and ask what they thought upon these great questions of Christian doctrine. You must go on from year to year, and consider the direction which religious inquiry was taking, and its progress from time to time, as well as its condition at a given time. May I venture so far to presume upon the patience of the House as to ask their attention to some historical particulars which I consider to be essential to the matter in issue? Although I know that there is a great indisposition in this House to resist the Bill, and debate may therefore be of less importance with a mere view to the division, yet I am well aware that there is a strong feeling against it out of doors, and I am, on the other hand, quite sure that if we can shew to the people of England that justice is concerned in the passing of this Bill—not only justice to the present holders of these chapels, but justice likewise to the real intentions of those who first established them—I am persuaded that the opposition which is made to this Bill will dwindle into nothing.

Now, first of all, I would ask, who are the parties into whose views we ought to institute an investigation? Not the Presbyterians preceding the period of the passing of the Act of Toleration. It is clear that the opinions of that body were in a progressive and fluctuating state; great changes had even already taken place in their doctrines and opinions antecedently to the passing of that Act, and the signs of still further and greater changes were visible. The Presbyterian body, which originally held the tenets of Calvin, had adopted Arminian doctrines at the period of the Act of Toleration. This change of itself was no small one. But over and above this, the Presbyterian body,

which in 1643 actually composed the Westminster Confession, in 1690 had virtually abandoned it, and I do not find that since that period the use of the Westminster Confession has been resumed by them. Now I ask the House, whether that is not an important point? If you find men in the habit of conducting their religious matters without reference to creeds, the fact does not of itself necessarily justify any strong inference: it may be that it is because they have not found any necessity for creeds; but if you find the children of those who have framed a creed, departing from that creed and casting aside the use of it, you cannot resist the inference that they had some reason for it, and that that reason was in their view some strong and cogent one. Then, Sir, as early as in 1657, Mr. Baxter wrote a work in which he declared distinctly that he objected to all confessions of faith not couched in scriptural phraseology, and stated that there never would be peace in the Church until creeds were reduced to the language of Scripture. I am almost tempted to read a curious passage, extracted from a well-known work, Mr. Cotton Mather's History of the Pilgrim Fathers in New England. There you have the Puritan body in its purest form, and no man will say that those men were not highly conscientious. I speak of them as individuals, and I must say, differing from them as I do, and lamenting the course they took, I believe not only that they were sincere men, but likewise that the main motive of which they were conscious in their proceedings was a desire to realise what they thought the whole will and word of God in a form more unmingled than, as it appeared to them, it could be found in the existing church. But now observe the idea of Christianity, as a shifting, changing, and advancing subject, contained in this passage. This was the address of Mr. Robinson, the leader of the colony of New England, delivered in the year 1620 to the first planters of that colony, and I quote it in support of my argument, that you will fall into the greatest error if you look at what was the actual belief at a particular period, and apply that belief to a period a century afterwards—"For my part, I cannot sufficiently bewail the condition of the Reformed Churches, who are come to a period in religion, and will

“ go at present no further than the instruments of their first
 “ reformation. The Lutherans can’t be drawn to go beyond what
 “ Luther saw. Whatever part of His will our good God has
 “ imparted and revealed unto Calvin, they will die rather than
 “ embrace it. And the Calvinists, you see, stiek fast where they
 “ were left by that great man of God, who yet saw not all things.
 “ This is a misery much to be lamented; for though they were
 “ burning and shining lights in their times, yet they penetrated
 “ not into the whole counsel of God; but were they now living,
 “ they would be as willing to embrace further light as that which
 “ they first received. I beseech you to remember it; it is an
 “ article of your Church-covenant, that you will be ready to re-
 “ ceive whatever truth shall be made known unto you from the
 “ written Word of God. Remember that and every other article
 “ of your most sacred covenant.” There you have the seed of all
 those progressive changes, of the effects of which you are now
 considering the course. I will only further remind the House
 on this part of the inquiry, that Mr. Hallam tells us in his
 History of the reign of William III. that the feeling of the Dis-
 senting body, which originally resisted particualar forms and
 particualar impositions by high authority, had even at its com-
 mencement become rather a feeling of opposition to all creeds
 and to all human interpretations of Scripture.

I come now to the Toleration Aet. And here I must ask,
 when were these foundations really made?—for that is a point
 of considerable importance. There were very few before the
 Toleration Aet, and those we may reject. The great mass,
 according to a statement made on behalf of the Unitarians in
 the Lady Hewley case, and adopted as I perceive by the Bishop
 of London, an eminent authority in opposition to this Bill, may
 be taken to have been made between 1690 and 1710. But
 those who made these foundations, did not die until some time
 after they were made. They remained in the natural course of
 things for many years the natural guardians of their own founda-
 tions. We must allow, therefore, to the parties who founded
 these chapels the usual term of human life, and assuming them
 to have lived some thirty years after those dates, they were

themselves for the most part alive and approvers of what took place, after the year 1690 and before the years from 1720 to 1740. Of course these dates do not admit of the utmost degree of precision, but I say it is upon the whole the state of opinion in that body between the years 1690 and 1740 that it is my business to look at. I look at it as a question of history, and I endeavour to form a judgment from that history as impartially as I can. It is clear that at the commencement of that period there were two great antagonistic principles engaged in deadly conflict—the one, a regard to authority in matters of religion, and a view of religious truth as something permanent, substantive, independent, and immutable; and the other, the supremacy of private judgment. I say that these two great principles were struggling together at the time of the Toleration Act, and that a regard for the supremacy of private judgment, and a disinclination to tolerate human interpretations of Scripture, was even at, and before that time, rapidly gaining the upper hand over the old principle, of which I have shewn that some records might be found. Now may I be allowed to give the House historical proofs of that important position? The House is very well aware that it was required by the Toleration Act, that parties, before they could take the benefit of that Act, should subscribe a declaration which involved indeed a great deal more besides, but which required, among other things, a confession, in the most explicit form, of their full belief in the Holy Trinity.* Now the first point I put is, that that Act was not universally subscribed. The case of Dr. Calamy,

* It is to be observed, that the *Irish* Toleration Act, which was not passed till 1719, required no such declaration. The following is an extract from a letter respecting it, from Dr. King, Archbishop of Dublin, to the Archbishop of Canterbury, published in Bishop Mant's History of the Church of Ireland, vol. ii. p. 340, dated 1st December, 1719:—"Your Grace gave me an intimation to take better care to guard against the Socinians than you had done in your Act. Your Grace's advice has always great weight with me, and in pursuance of it I endeavoured it all I could; but alas! instead of obtaining any better security on that point, what you have, is left out in our Act, *and the whole doctrine of the mystery of our Salvation waived, and every one left at liberty, whether he will deny or believe it.*"

which has been mentioned as a remarkable one, because he was an eminent and devout man, and a sincere believer in the Holy Trinity, is an instance; it appears that he never subscribed. I again appeal to the authority of Mr. Hallam, who acquaints us that the measure of liberty accorded by the Toleration Act was but a scanty measure; but he says it proved more effectual through the lenient and liberal policy of the 18th century; the subscription to articles of faith, which soon became as obnoxious as that to matters of a mere indifferent nature, having been *practically* dispensed with. It is pretty evident that soon after that time, among Dissenting bodies, subscriptions to articles of faith were practically dispensed with; but at the period of the Toleration Act, it appears clear that the great mass of Dissenting ministers then intending to officiate did subscribe the declaration. There is still extant one of the latest works of Mr. Baxter, one of the most distinguished men belonging to them—a man of great learning, great piety, and great genius, and one who, as far as his personal qualities were concerned, certainly did deserve the high position and the great influence which he exercised among the Nonconformists. Baxter, in 1689, published a work called, “A Sense of the Articles of the Church of England,” the object of which was to reconcile Dissenting ministers to this subscription: shewing that already the elements of repugnance to subscription were powerfully felt. In that work Mr. Baxter wrote thus:—“Wishing that God’s own Word
 “were taken for the sufficient terms of our consent and concord,
 “in order to union and communion, and knowing that the ambiguity of words, and our common imperfection in the art of
 “speaking, do leave an uncertainty in the sense of most human writings till explained, and yet supposing that the authors
 “of the Articles meant them orthodoxly, that I may not seem
 “needlessly scrupulous, I subscribe them; and that I may not be
 “unconscionably rash in subscribing, I here tell all whom it may
 “concern how I understand the words which I subscribe.” Thus Baxter was willing to subscribe, yet not without stating his regret that any subscription whatever was required beyond an

acknowledgment of the Canon of Holy Scripture ; and not without also putting his own sense upon the articles. That sense is also in some particulars not a little remarkable ; as, for example, where, upon the article which affirms the Athanasian Creed, he actually excepts from his assent a part of that creed. And although it is a deviation from regular order, I must here revert to an instructive circumstance which had already happened, and which shows the tendency which was already operating, to fall back from all creeds upon the simple volume of scripture, and for the greater security to fence about that volume, by requiring its reception under the severest penalties. In the year 1648, an ordinance was passed in the Long Parliament, by which it was actually made an offence, punishable by death, to deny that which is manifestly only a question of historical inquiry—the authenticity of any one of the books contained in the canon of Scripture. I question if a more singular enactment was ever passed.

I must now call upon the House to observe, that although a great number of ministers subscribed, it appears that no less than eighty of them, in and about London, subscribed in the sense and with the reservations of Mr. Baxter.

Now, I admit that some of the pamphlets upon this subject have introduced one or two facts which appear at first sight to bear in a contrary direction, and to favour the principle of subscription. They have not been referred to here, but I think it right just to allude to them. There is a document described as “ Heads of Agreement assented to by the United Ministers in and about London, formerly called Presbyterian and Congregational ; not as a measure for any national constitution, but for the preservation of order in our congregations, that cannot come up to the common rule by law established.” Now, I wish to give my honourable friend the Member for the University of Oxford the benefit of a stronger fact than any he has stated. In the 8th of those Articles there is this : “ As to what appertains to soundness of judgment in matters of faith, we esteem it sufficient that a Church acknowledge the Scriptures to be the

“ Word of God, the perfect and only rule of faith and practice,
 “ and own either the doctrinal part of those commonly called the
 “ Articles of the Church of England, or the Confession, or Cate-
 “ chisms, Shorter or Longer, compiled by the Assembly at West-
 “ minster, or the Confession agreed on at The Savoy, to be agree-
 “ able to the said rule.” I am not, therefore, in a condition justly
 to assert that, at this time, subscription was repudiated. But,
 on the other hand, I must offer some qualifying remarks. In
 the first place, this is not intended in any manner to guarantee
 the profession of a permanent belief. It was not the foundation
 of a permanent decree, but rather a treaty of co-operation for
 immediate and practical purposes. In 1694, on account of
 doctrinal differences which kept swelling and struggling upwards,
 such a project as the union was found to be quite impossible,
 and those Articles of Agreement came altogether to an end, and
 upon them of course depends the virtue (if there be any) of what
 I have quoted. But here again I must observe that the wil-
 liness of parties even to subscribe for themselves, does not ne-
 cessarily imply that they are anxious, or even that they would
 consent, to bind their posterity. Assuming that these parties
 were willing at that time to subscribe, that might be because
 they themselves believed in these particular doctrines, but it
 may still be true that they meant to leave to others the means
 which they had themselves put in action, of departing from the
 belief of their predecessors. But when I look at these chapel
 deeds, I find, according to the best accounts I can obtain of the
 terms in which the trusts are commonly declared, that the
 most general words are used, and if the parties who themselves
 were willing to subscribe, when they came to found meeting-
 houses, which of course were intended to be used by their pos-
 terity as well as by themselves, no longer referred to doctrinal
 tests, but framed their deeds in the largest and most general
 language ; does not that raise a strong presumption, that though
 they were themselves believers in particular doctrines, yet they
 objected, on principle, to binding their posterity to the main-
 tenance of them for ever ?

I have no motive to bias me, that I am aware of, in this matter, and I wish to state strongly to the House, and to bring strongly before my own mind, the arguments on the other side. There are two other points urged by them. One argument which has been used by those who oppose the Bill (though it has not been made in this House) is as follows:—Those who declared these trusts, and who associated themselves for the purpose of establishing these chapels, never could be expected to specify the particular doctrine of the Holy Trinity, because it was at that time forbidden by law to deny that doctrine. Now, does any man seriously think that that is a compliment to the foresight, the sagacity, and common sense of those who drew these deeds, or of the parties for whom they acted? Does any man think that those who had seen the changes which took place in the seventeenth century, calculated on the permanence until doomsday, of that declaration which, under the Toleration Act, ministers were required to subscribe? They had seen the Canons of 1640, passed under Archbishop Laud—they had seen the Act of 1648, denouncing the penalty of death against any person questioning the authenticity of the canon of Scripture—they had seen, in 1661, the Act of Uniformity passed—they had seen, in 1689, Nonconformity legalized and permanently established under the shelter of the law—and is it to be supposed, that with such experience, those men were so unobservant as to imagine, that the great movement which they had themselves used all their strength to impel, and which manifestly embodied the prevailing sentiment and spirit of the time, had reached the extreme limit of its progress—that they applied, in fact, the doctrine of finality to that particular form which the policy of the Legislature had assumed in the Toleration Act? It is obvious that they could have done no such thing. But, again, some say that the doctrine was so fixed, not merely by law but by religious faith, in the minds of men, that it never occurred to them that it could be doubted, and therefore that they never thought of predicating it expressly in the trust-deeds. But this ground is cut away from them, because it so

happens that at this very period the keenest controversies were raging with regard to that doctrine. Even before the Toleration Act, those controversies had commenced. The works of foreign Unitarians had been brought into England. Men of very considerable eminence—Mr. Biddle, Mr. Firmin, and others,—persons, I am bound to say, of great individual virtue—were professors of those doctrines; and I do not suppose that years would suffice, to read the tracts that were published on the subject of this controversy, during the very period in which these chapels were instituted. How, therefore, can it possibly be said that the reason why these parties excluded all reference to the doctrine which they wished to promulgate, was because it was a doctrine as to which no doubt was entertained by any of the religionists of the day?

Now my honourable and learned friend, the Attorney-General, and likewise my right honourable friend, the Member for Edinburgh, have referred to the Act of Queen Anne, in 1711: and the provisions of that Act, exempting non-subscribers from the penalties they had incurred under the Toleration Acts, lead to the inference, both that they were a considerable class, and likewise that the offence they had committed was a light one in public opinion; that is, that subscription to the Articles, by Dissenters, was falling into disrepute. But some honourable Member has quoted to-night a case which occurred in the year 1702, when Mr. Emlyn, an Irish minister, adopted Arian opinions, and became the object of universal reprobation among his brethren. That is the history of 1702; but the peculiarity of this case is, that the history of 1702 is not good for 1703, nor is the history of 1703 good for 1704. I will shew that a few years after that date, liberty or license—call it which you will—and we might differ perhaps upon that question—had come to such a height, that the whole Presbyterian body had become divided. What took place in 1718? A Bill was then brought forward by the Ministry of that day, for the purpose of repealing the restrictive Acts passed in the reign of Queen Anne—that is, those portions of the Schism Act and the Occasional Confor-

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mity Act which were restrictive in their operation. That Bill was called, "A Bill for strengthening the Protestant Interest," and while it was before Parliament, an attempt was made to introduce into it the following declaration. The Bill passed a second reading in the House of Commons in January by a majority of 243 to 202. On going into Committee, a motion was made by Lord Guernsey, "That it be an instruction to the said Committee, that they have power to receive a clause that any person, when he comes to take the oath of Abjuration and other oaths subsequent to the receiving of the Sacrament in order to his qualification, shall acknowledge that the Holy Scriptures of the Old and New Testament were given by Divine inspiration, and shall acknowledge his firm faith and belief in the ever-blessed Trinity." But the previous question being put, "that the question be now put upon the said motion," it passed in the negative by 90 voices, several Members who voted against the Bill "for strengthening the Protestant Interest," &c., having, notwithstanding their opposition to that Bill, voted also against the Amendment proposed by Lord Guernsey. Now, here was a declaration of the doctrine, reduced to the most naked and unobjectionable form. It is not involved in a multitude of scholastic terms or refined definitions, but it is a simple proposition that a plain and perfectly intelligible declaration of belief in a particular doctrine, reduced to the most naked form, shall be made the condition of holding office. The Bill had been carried by a majority of forty-one only. The motion was rejected by a majority of ninety. All those who supported the Bill and represented the united Dissenting interest in Parliament opposed that clause. Does not the right honourable gentleman think that that is a pregnant fact to shew what was taking place in the minds of Dissenting ministers and of Dissenters generally at that time? And be it remembered, too, that at that period the greater part of these founders, as my honourable friend, I think inaccurately, calls them, on whose behalf, or on behalf of whose descendants, he is interesting him-

self, must have been themselves alive to take care of their own foundations.

But now, Sir, I come to what is a still more important matter, and to what I say is an absolute charter of freedom of opinion with respect to these questions, so far as the Presbyterian body are concerned—I mean that which is well known as the Salters' Hall controversy. In 1718, two Dissenting ministers, named Hallett and Pierce, of Exeter, were charged before the committee who governed their congregation, with having preached Anti-Trinitarian doctrines. The Committee examined the case, and they decided against their ministers. But it is a very remarkable fact that those doctrines were not condemned by a declaration that they were contrary to the Christian faith, but it was simply stated that a denial of the blessed Trinity was an error such as to justify the withdrawal of the congregation from the preachers. That was the whole extent of the assertion made. Having before them distinctly the case of their own ministers, who had abandoned the preaching of the doctrine which they professed, and who had adopted an opposite doctrine, they passed a resolution that there were some errors of doctrine which afforded a sufficient ground for congregations to withdraw from ministers holding such doctrines, and that a denial of our Lord's Divinity was, in their view, a doctrine of that nature. But, Sir, there was much more than that. The Dissenters of London acted by means of a central body, which regulated the proceedings of all other Dissenters throughout the kingdom. A formal reference was made to them upon the schism between the ministers and congregation of Exeter. They met in large numbers. All the Dissenting ministers in London and its vicinity, met to consider this great question in Feb. 1719, and they had a very solemn consideration of it. It was debated whether a declaration concerning the doctrine of the Trinity should be inserted in the letters of advice which was resolved to send down to Exeter, and it was carried by a small majority—by 73 to 69—that that doctrine should be conveyed to the congregation at Exeter. Is it pos-

following; that certain gentlemen behind the curtain had so influenced their respective friends for two different ways and methods to which they severally inclined, that, as they appeared disposed, a fierce contention and a shameful breach was in my apprehension unavoidable. As to the grand matter which they contended about, I was entirely of the mind of the celebrated Mr. Chillingworth, who closes his preface to 'The Religion of Protestants a Safe Way to Salvation,' with these memorable words: "Let all men believe the Scripture and that only, and endeavour to believe it in the true sense, and require no more of others; and they shall find this not only a better, but the only means to suppress heresy and restore unity. For he that believes the Scripture sincerely, and endeavours to believe it in the true sense, cannot possibly be an heretic. And if no more than this were required of any man to make him capable of the Church's communion, then all men so qualified, though they were different in opinion, yet, notwithstanding any such difference, must be of necessity one in communion." So much for Dr. Calamy. Now let us hear the words of Dr. Doddridge, with whose testimony I will close my examination of the sentiments and the doctrinal movement of the Presbyterian body between 1689 and 1740. In a letter dated December 1737, he uses this remarkable language,—“ I think we cannot be too careful not to give any countenance to that narrow spirit which has done so much mischief in the Christian Church. And what confusion would it breed amongst us, if those who were supposed to be of different sentiments, either in the Trinitarian, Calvinistical or other controversies, were to be on both sides excluded from each other's pulpits !”

Now, by what has taken place in Parliament, by what has taken place at meetings of Dissenting ministers, and by what has been stated by the greatest oracles of those Dissenting ministers, it is established, that before the deaths of the very parties who first of all associated themselves together in order to establish these chapels, it had become entirely an open question whether or not a man should hold the orthodox and

ancient belief with regard to the doctrine of the Trinity. It is needless to go beyond the year 1740, but if there were occasion for detail, it might be easily supplied. In 1772, the movement became so strong against the principles of subscription, that an application was made to Parliament upon the subject, and in the year 1779, a Bill was passed which relieved the parties from the existing form of subscription, and substituted another, though even that latest form of subscription by Dissenters was not, I believe, complied with. Upon that I do not stand, because if you could shew that the transition took place at a period so long after the deaths of the parties founding these chapels, you might create dissatisfaction in the public mind, though I do not think you would prove thereby that this Bill ought not to pass.

But, Sir, to me it appears that this is not a question on which there is justly any room for difference of opinion. I cannot admit that it is subject to the smallest doubt, whether these parties ought to be regarded, or not, as qualified successors of the early Presbyterians in their chapels. If you are satisfied to look at nothing but the mere external view of the case, and to say, Here were certain persons who founded these chapels entertaining one creed, and the present possessors of those chapels profess another creed, I admit that that sounds startling. But if you take the pains to follow the course of events from year to year, it is impossible to say that at any given period the transition from one doctrine to the other was made. It was a gradual and an imperceptible transition. There can be no pretence for saying that it was made otherwise than honestly. I at least do not hold myself entitled to say so. The parties who effected it made a different use of the principle of inquiry by private judgment from those who had preceded them; but they acted on a principle fundamentally the same, and though I may lament the result, I do not see how their title is vitiated because they used it to one effect, and others to another. I do therefore hope, not only that this Bill will be passed by the House, but I hope also, and I cannot entertain much doubt, that the feeling

which unfortunately prevails against it out of doors will also be allayed. I think it is our duty to set ourselves against that feeling, and to endeavour to bring about a mitigation of it, if we are convinced it is unjust and ill-informed: and I do not believe that my honourable friend the Member for Kent will be content to tell us, when this measure comes again before the House, that we are passing a Bill for the encouragement of error. If my honourable friend were a Judge, and there came before him two parties litigating for an estate, one of whom was an infidel and a profligate and every thing that was bad, and the other a most pious, virtuous and benevolent man, would he be deterred from giving the estate to the infidel and profligate, if justice lay on his side, because he encouraged error? or would he be deterred,—I well know he would not,—by such a reproach, from the resolute discharge of his duty? But I apprehend that the duty of a Judge in such a case as that, much resembles the duty which my honourable friend is here called on to perform; for he is now called on to remedy a defect in the law, and to adapt the law to the general and larger principles of equity and justice. And, again, I am not in the position at which my honourable friend the Member for Pontefract* seemed to glance in his speech of to-night. I feel no competition or conflict between my religious belief and the vote I am about to give. I am not called upon to do that which I could not do, namely, to balance the weight and value of a great moral law, against that of some high and vital doctrine of Christianity. Our religious belief should guide us in this as in other acts. But I contend that the best use you can make of your religious belief is to apply it to the decisive performance, without scruple or hesitation, of a great and important act—an act which, whether the consequences to arise from it may be convenient or inconvenient, (and I believe the balance will be found to be greatly on the side of convenience, but that is the second question, not the first, of those now before us,) I hope I have in some measure proved to be founded on the permanent principles of truth and justice.

S P E E C H

ON THE

COMMISSION OF INQUIRY

INTO THE

STATE OF THE UNIVERSITIES

OF

OXFORD AND CAMBRIDGE,

DELIVERED BY THE

RIGHT HON. W. E. GLADSTONE,

M.P. FOR THE UNIVERSITY OF OXFORD,

ON THURSDAY, JULY 18, 1850.

OXFORD :

J. H. PARKER.

1850.

S P E E C H, &c.

SIR,

In one point, at least, I have the satisfaction of agreeing with the honourable gentleman who has just sat down (Mr. Bunbury). I concur in the construction which he has put upon the motives that have prompted the noble Lord (J. Russell) to form the intention of issuing a Commission of Inquiry into the State of the Universities of Oxford and Cambridge, under the authority of the Crown. I believe that those motives are conformable to the verbal professions of the noble Lord, and that he is not prompted by feelings unfriendly to these Universities.

I am the more anxious at once to make this admission, and to make it freely and without reserve, because, with respect to the hasty and ill-advised project itself, it will be my absolute duty to express, in the strongest language, the most hostile opinions. Indeed, even thus late in the day I earnestly hope, and I cannot bring myself entirely to abandon the expectation, that the noble Lord may yet

to bear, to the exemplary discharge of arduous duties by those, to whom are there committed the care and instruction of the flower of English youth. Go there when it will, the Commission will find them so engaged, not under the coercion or influence of law, not under the expectation of Royal Commissioners, scarcely hearing and not at all dreading the echo of Parliamentary debate; and nowhere throughout the country will be found any body of men, who, as a body, are more competent for their duties—more devoted to the great work of true and genuine education—more indefatigable in their industry—more adorned, I will venture to say, with the virtues and accomplishments that belong to Christians, to scholars, and to gentlemen. So far as their personal interests and feelings are concerned, I cannot regret that any inquiry should be instituted, which would be conducted, as this will no doubt be conducted, if it be made at all, by honourable men: for the evidence it will obtain, be its amount and general character what it may, will assuredly, with respect to the men engaged in the work of education at Oxford, carry conviction to the minds of those, few in number I am sure they even now are, who may be inclined to view them with suspicion and mistrust. But, in a question of this nature—not only a great academical, but, as I believe and hold it to be, a great constitutional question—I must cast aside all consideration of what would be most favourable to their interests or agreeable to their feelings, and must fasten my attention upon the public and constitutional principles which are involved in the issue before us.

training for the discharge of public duties. It is in this respect that other nations have found it most difficult to imitate that which we happily possess. It has been by their familiarity with it from their British origin, that, as De Tocqueville has so well shown, the United States of America were enabled to organise their remarkable constitution, and to achieve their present greatness. And to this day, as I am not ashamed to remind you, the United States are distinguished from every other country, by the liberal facility with which their State Governments are accustomed to confer corporate privileges upon local bodies, and the respect they pay and the security they furnish to the subaltern freedom which they have thus created.

These, Sir, are considerations, general indeed in their nature, but most weighty and substantial, which tend to show what serious evils must always attend upon the interference of the State with the Universities, and which should therefore induce the House to pause before lending a favourable ear to any such proposal; and to require, in the first place, full and clear proof of the evils to be removed, and of the impracticability or hopelessness of their removal by the free assent and deliberate agency of these bodies themselves.

Passing on from these general considerations, I will now come to close quarters with the plan of the noble Lord (J. Russell). I say that no mere general statements, no prospect of simply speculative improvement, will justify the interposition of the State. You must be able to show the prevalence of serious evils, and the neglect of duty on

the part of those who should redress them. This you cannot show, and therefore there is no shadow of a justification for your interference. Nay, more: as to the Universities, considered apart from the Colleges, you admit that there is no such case. The noble Lord tells us his purpose and desire is, that the Colleges should now do their part, as the Universities, both in Oxford and in Cambridge, has set them the example. No man in this House has charged the Universities with sluggishness or indifference to reform; but, on the contrary, loud and just eulogies have been pronounced upon them for the introduction of wise, great, and comprehensive improvements into their system. As if to give greater force to this part of the case, it was on the very day, the 23d of last April, when the University of Oxford had given its full and final sanction to the new Statute of Examinations, that the noble Lord aimed the blow I now seek to avert. The honourable Member indeed, who spoke last, alleges that the academical constitution is bad, and requires reform. But the noble Lord made no such allegation, and gave us no reason whatever to believe that a reformation of the constitution of either University was to be considered by the Commissioners. He founded himself altogether upon the state of the Colleges, as making good his case for interference: He allowed that the Universities were doing their duty, and therefore that he need not do it for them. And yet, strange to say, it is into the case of the Colleges that he has no pretension whatever to inquire: The Universities are incorporated by Parliament: the Colleges are pri-

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vate incorporations, in no way, by no form of inference however indirect, subject to the power of the Crown : where he has a right to examine, he admits there is no occasion ; where he has occasion to examine, he has not even himself alleged a right.

Well, Sir, let us examine the question as to the Colleges. However I may think it my duty to protest against every unconstitutional exercise of power by the Crown, I do not claim for the Colleges of Oxford and Cambridge, or for any other foundation whatever, an exemption, under all circumstances, from Legislative control. It is not necessary for me, here and now, to discuss the question, what your duties or your rights, in conjunction with the Queen and the House of Lords, would be, if the advance of improvement in the Universities and in the Colleges were to be stayed. It is far from being my opinion that the work is yet complete. The great changes which have been made in the statutes of Oxford, with respect to the course of instruction, ought there to entail, and with all my heart I hope they will entail, careful and well-considered, but extensive, and, I will add, early, changes in the Colleges. Yet for these changes you must surely allow a reasonable time. No body has more urgent and constant necessity to plead for such allowance than the House of Commons ; none ought to be more ready to make it on behalf of others. The Colleges, it will justly be said, ought to follow in the wake of the University, and to second the changes it has made. Well and good : but these changes they could not know by divination. It has cost the University no small time and pains to bring them to maturity, and to deter-

mine upon them in detail. Further, the changes, that may follow in the Colleges what the University has done, will not only require time, because you cannot expect that nineteen independent corporations will act with the uniformity and speed of a single organ, but because in their own nature they must be such as demand from prudent men great consideration. Many new branches of study, instead of being left to be taken up collaterally and at will, have now received their formal place in the course of academical instruction. Of all these there must be provided competent teachers in the Colleges: there must be a large addition to the staff of tutors. But the House is bound to give a reasonable time for this new organisation and distribution of duties. It is not as if the University or the Colleges were criminally charged for not having done all this before. The demands made upon the University are demands that have emerged with the necessities of the times. And to them she has given, or is engaged in giving, a full answer. Nay, in many things she has, both now and on former occasions, anticipated the desire of the general public. If the Colleges should fail to act in the spirit of the University—if they should not make it their aim to render their endowments available in the highest degree for the encouragement of learning, the reward of merit, and the enlargement of the circle within which their benefits are diffused, I grant that the time may come when the interference of the State may be required; but at this time you have no justification for it.

Now, Sir, as this Commission cannot exercise an ordinary jurisdiction, as it purports to be wholly

remedial, let us examine the allegations that are made concerning any evils which are supposed to require such a remedy.

One of the most popular and plausible of these, in regard to Oxford, is that, under the present system, you have no security for the appointment of the most competent persons to fill the office of tutor; and ingenious arguments are used, to show how this failure may possibly occur. But I ask this House to turn from speculation to facts. I will try the character of the Oxford Tutors by the best test of which the case admits, and one which, though I do not assert it to be perfect, will nevertheless be admitted to be adequate: I mean the honours which they have gained from the University.

There are at present, in the different Colleges and Halls of Oxford, seventy-eight Tutors, and these seventy-eight Tutors have taken, among them, no less than eighty-five first and second classes; of which, I think, fifty-four are first classes: and, that the House may be able to judge what these facts are really worth, I must add that among the whole body of persons—commonly, I believe, above three hundred—who pass through their examination in each year, not more perhaps than from ten to fifteen obtain a first class. But besides these classes, there are among these seventy-eight Tutors, twenty-nine other University honours of the highest order: and again, among the whole number there are only six, who have not obtained distinctions of a very high order in the University. After this, Sir, I think that, however isolated cases may stand, we shall not have the appointment of the Commission defended in this

House upon the ground that the present system at Oxford has failed to secure the appointment of efficient and distinguished men to the office of tutor.

Sir, the next among these allegations, and one on which the noble Lord (J. Russell) has particularly dwelt, is this, that the old Collegio statutes, forsooth, prevent the cultivation of the new studies which it is the especial aim of the recent statute of the University to foster. This allegation has not been sustained by proof: and can only be met, as I meet it, by flat denial. In the spirit of those ancient statutes there is nothing that is hostile, everything that is favourable, to the extension of learning: and I have yet to be informed in what singular particular even their letter supports this chimerical assertion.

But then, again, it is said, that these statutes are unalterable, according to a clause contained in them, and that they require adaptation to the times: and this is a point requiring more full consideration.

Sir, I believe it is a matter which some conceive to be subject to doubt in point of law, whether there exist any unalterable statutes—unalterable under the existing ordinary jurisdictions: whether in every case the joint powers and concurrence of the Visitor of the College—of the representative of the Founder—and of the actual incumbents, would not be sufficient in law to warrant the alteration of any statute. But I will not place any stress upon a doubtful argument: and I will assume it to be the fact that there exists no lawful ordinary power to change these statutes.

I hold it to be perfectly plain that Founders have

no right to bar, throughout all time, every alteration of their statutes, and that if any injunctions they may have left to that effect cannot be relaxed without legislation, then they should be relaxed by legislation: but surely it is as plain that we are bound to see, in the first instance, that all the powers of the ordinary jurisdiction have been tried and exhausted, before we resort to a measure which, though right in itself, may be placed hereafter as a precedent and authority for wrong. But there has been no such exhaustion, no such trial; nor can the aid of Parliament be invoked with propriety so long as, for all we learn, it may turn out to have been wholly unnecessary. And even if that aid be required, how do we know that the Colleges themselves will not seek for it, and why, now that a crisis in their history has come, why do we not allow them time to show that they are alive to its importance, and prepared to act as it requires?

But, Sir, it is likewise right that the House should be aware, that, as I am informed by persons who ought to be the very best acquainted with the subject, this allegation of unalterable statutes does not extend to more than five or six of the Colleges in Oxford. A provision of this kind appears to have been first introduced in the case of New College by William of Wykeham, and his example was followed by succeeding Founders. To me, I confess, it is extremely curious and instructive, to mark the epoch of its introduction. It seems most probable that this measure was dictated by the fear, on the part of those who founded and endowed the Colleges, of innovation. It was the era of Wicliffe: the sect of

the Lollards soon became widely prevalent, broached some extravagant or dangerous opinions, and excited much alarm, among the friends of things as they were, for the security of the established religion. Hence the Founders of Colleges appear to have become more jealous of change, and to have sought security in this restrictive regulation. Sir, I hope the noble Lord will deign to learn a lesson from these facts, and consider with himself whether he is really pursuing the course most likely to insure judicious reforms in the Universities; for they appear to teach us this truth, that when ill-considered schemes of improvement are abroad, people put up their backs, as it is termed, and become fearful even of such changes as, under other circumstances, they would have been ready to allow.

The next allegation on the side of the noble Lord is this: that the local restraints upon the choice of the electors in filling up vacant fellowships are mischievous, and ought to be done away with. Now, Sir, on this I shall observe, first, that we have no proof that the Colleges themselves, in considering the means of seconding the intentions of the University, may not propose and effect, or ask us to aid them in effecting, everything that is necessary on this head. Secondly, that even if all which has been urged against these local restrictions were true, still not even the Legislature, and much less the Crown, could take upon itself the responsibility of their total abolition. No one, I think, will contend that, in dealing with the bequests of a Founder, we can with justice begin by putting his desires wholly out of view, and proceed to reform his institution at our

own pleasure, and according to our pattern of speculative excellence. But, thirdly, it is a gross error to suppose that these local restraints are productive of unmixed injury. There are cases, in which they may and ought to be relaxed: there are cases, in which they have been so relaxed, and no proof is offered us that what yet remains to be done, requires the appointment of a Commission in order to its being effected. It is most desirable that these restraints should not confine the electors to very narrow districts: but neither do they; the general limitation is to one or more counties, or a diocese. It is most desirable that the attainments of candidates should have very great and often the chief weight in elections: but, on the other hand, it would be a great misfortune, if these qualifications only were to be regarded, and if in all cases, without exception, the man that could pass the best examination were to be chosen. Competition is most useful as an element in the process: but do not let the House suppose that competition is everything. We do not employ it much among ourselves: and we should think it no less strange, if it were proposed to choose the Prime Minister by an examination, than if there was an obligation to take him from a particular county, diocese, or family. So it is, not wholly but in a degree, with fellowships. Rely upon it there is as much room for trickery in passing through an examination, as in most of the other transactions of life. Besides the broadest features of religious and moral character, the social tendencies of a man—his gifts of teaching—his assiduity—his disposition to take and to observe his place in the almost do-

mestic body he is to enter—these are qualifications as material as any branch of knowledge, but an examination does not ascertain them; and I have found, among my constituents, gentlemen the least chargeable with a blind conservatism, who nevertheless feel that, on its own merits, as well as from regard to founders, this principle of local preferences, while its extravagant rigours should be got rid of, deserves to be treated with some indulgence.

Sir, there is nothing in the particular allegations I now have enumerated—and I think that they are all the allegations which have been heard in this debate—to show the need or the justice of the project of the noble Lord: but then there is also the general reason which has been urged, that the varying circumstances of successive periods render changes in these institutions necessary. But how can this ground avail you, when you yourselves admit that the Universities have deserved the utmost praise for the disposition they have shown to appreciate and to meet the exigencies of the times, and when, in regard to the Colleges, you neither prove that they are indisposed to follow, nor give them a moment for deliberation, but, before delinquency is established, or even can be presumed, proceed to administer the corrective, so bad a corrective even in the extremest case, of State interference? You are bound, I say, when you contemplate any interposition of such a nature, to show, either that you have the consent of the parties; or that there are gross abuses, which there is no disposition to remedy; or that there are great and obvious improvements re-

quisite, which there is no disposition to effect; but no one of these things have you shown, no one of them have you attempted to show.

Sir, I come now to a ground upon which, as a member of Parliament and an English citizen, I must offer still broader objections to the measure of the noble Lord. The case must be a very strong one, that could make any interference of the State with the Universities either just or politic; but there can be no case whatever, that could justify the kind of interference projected by the noble Lord. The only way, in which the State ought to interfere, is by an Act of Parliament. I care not whether it be interference to inquire, or interference to determine: you have no right to do either, except under the authority of the Legislature.

Now, Sir, I do not resist this Commission in consequence of any fears I entertain of its immediate consequences to the University. I oppose it as a bad and mischievous precedent, which, whatever its intention be, will be pleaded, and will be acted upon, and that with unassailable consistency, in a worse spirit and in worse times hereafter. But not even the consideration of what it may thus be the means of bringing upon the University at a future period, is my main reason for opposing it. I resist it less as a member of the academic body, than as a member of this House, bound to watch with jealousy every aggression of the Executive power, and to guard, against its very first approaches, the personal and local liberties of Englishmen. I complain that this kind of inquiry is as utterly unconstitutional in its character, as it is bad with reference to its im-

mediate end. To Parliament, no doubt, the University is subject: but the act now proposed is a mere act of the Executive. Had it been founded on a Resolution or Address of the House of Commons, I should still have demanded, that such a question should not be disposed of at a single stroke. I should have invoked the advantage of publicity, and claimed the opportunities of repeated discussion, and of mature decision, which the several stages of a Bill affords. Let us fall, we are entitled to say, in open day, and beneath a hand whose authority we own. But this, Sir, is not even an act of a single House of the Legislature: so far from inviting Parliamentary discussion, the noble Lord has done nearly everything in his power to avert and to stifle it. We were kept unaware of his intention to advise the issue of this Commission until a very late hour of the former evening of this debate: we were distinctly given to understand, by the organs of the Government, that the noble Lord entertained no such intention. Then indeed the noble Lord admitted, courteously, that an opportunity ought to be given for discussing his announcement: but, when the question arose about fixing a day for the purpose; the noble Lord said he saw no occasion for further debate, and that, if it should be renewed, he would move an adjournment of the debate for three months. The Government had made up its mind—that is, the noble Lord in his own room, at his own table, had decided; and, having decided, he intimated, in a manner the most polite, that he had no occasion for the aid of the House of Com-

mons. But I must venture to tell the noble Lord, that the Institutions with which he is disposed to deal thus unceremoniously, are institutions of the very first rank and dignity in this country, and that every step he may take in regard to them requires to be taken with a scrupulous care, and with the utmost respect both for their position, and for that fond and fervent attachment which the community entertains towards them.

Sir, I object again to this Commission, because, stretching the authority of the Crown to matters not within its proper power, it necessarily exposes that authority to disparagement. All the obligations of duty and of loyalty apply to the proceedings of the Crown, only while it is acting in the execution of the laws according to the spirit of the Constitution. But the arbitrary acts of the Crown, —that is to say of its advisers, acting without the law, if not in absolute defiance of it, and in plain contrariety to the spirit of the Constitution,—are entitled to no respect whatever at the hands of any private person, especially when they are done wilfully and after plain warning. If the noble Lord proceeds, as he threatens, to confer on this Commission powers of inquiry, such powers are not his to give, and every individual may make light of them at his will: not only may the information which the Commission will have to solicit be refused, but it may be refused in terms approaching to rudeness and to contempt. The Government, I say, incurs a great responsibility if, without an absolute and clear necessity, it weakens the authority and hazards the dignity of the Crown by ex-

posing a Royal Commission to such a reception ; and to the remark that, whether the refusal be proper or not, you have no right to complain, inasmuch as the demand will have been made wholly without warrant.

Sir, I further complain of this Commission, because it is utterly without power to attain its ends. My doctrine is, that the State should rarely interfere in the concerns of the Universities ; and that, when it does interfere, it should do so effectually. Any Commission of Inquiry into their condition should be a Commission with compulsory powers. But how can this interposition be effectual ? You do not, you cannot, pretend to give authority to coerce, in any one particular, any single person. Well, then, if you cannot depend upon force, can you depend upon free will ? Sir, both the Universities have declared, in terms pretty intelligible, the view which they take of the project of the noble Lord : and have shown most clearly that, in vindication of those ancient liberties which are entrusted to their charge, they will think it their duty to withhold from the Commission all co-operation. What course, then, will this matter practically take ? The Commissioners will go to the Universities, and will invite the production of documents and the tender of evidence. The authorities of the place may, and I presume will, decline to produce the documents : the large majority of the resident body, in each, who have resisted the appointment of the Commission, will follow up that resistance, and refuse to give evidence before an incompetent, because un-

constitutional, tribunal. You will then have to take the evidence of individuals; of a small minority; of a minority, acting in opposition to that of the declared wishes of their fellow-labourers, by supporting and aiding the Commission, and, of necessity, presenting to your view only one side of the case, when a Commission can only be useful by elucidating both.

Nor will evidence be refused solely on the ground that the opponents of the Commission cannot, with consistency, forward its purposes. There are specific obligations which will bind these persons as members of Colleges. They are, in very many cases, bound by their oaths not to reveal the secrets—that is, the internal affairs—of the Society to which they belong. I find an oath taken at Cambridge, which is quoted as follows: *Non revelabis aliquod secretum Collegii*. This is absolute. But in many cases at Oxford the oath runs thus: that the Fellows are bound not to divulge the affairs or proceedings of the College, *in damnum ejus*, when the disclosure would be prejudicial. Now, many,—and those, perhaps, the most scrupulously conscientious, witnesses, the very men whom instead of repelling you ought to have sought to attract, will feel the pledge to be unconditional; and surely many more, having emphatically denounced the appointment of the Commission as alike unjust and injurious, will be bound by this oath to refuse disclosures, which they have themselves beforehand declared to be in the highest degree prejudicial.

Now, Sir, if the noble Lord would have proceeded by Act of Parliament, he would have escaped this

difficulty, and would have had a fair and full examination. I conceive it to be beyond dispute, that of all such oaths as these, being of positive and not of moral obligation, and affecting the general position of our institutions, the supreme power in the State has full authority to relax the force. Under the sanction of an Act, persons would be both entitled and bound to make known all the affairs of Colleges. But I presume the noble Lord does not mean to introduce into this country any other dispensing power than that of the Legislature. If, indeed, I try him by his precedents there might be room for that apprehension. The favourite period of our history with the noble Lord is, it seems, the reign of James the Second. It is in that inauspicious reign, in the year 1686, that the last and closest precedent for the proceeding now threatened is to be found. In that proceeding there was so much, at least, of consistency, that the dispensing power was assumed. Will the noble Lord follow the example? He will not: but he will institute a professed inquiry, knowing that his inquiry must be thoroughly one-sided, giving encouragement to a lax construction of oaths on the part of some, but aware that he can hear only one class of witnesses, and that a class acting in opposition to the declared and general sense of the University, which will be excluded by the course he takes. And, Sir, whether right or wrong in these anticipations, at any rate I am not parading a mere bugbear before the House. It is an historical fact, which you may easily ascertain by reference to Wood, that in the year 1647, when an un-

constitutional visitation of the Universities took place under the warrant of Parliament only, the then Vice-Chancellor and Heads of Colleges in Oxford had the courage to look beyond the policy, and to resist the pressure, of the moment, and distinctly to refuse the information which was demanded of them. As a sample of the spirit of those times, Wood has handed down to us this Resolution:—

“That the Books required of us are such as contain in them those secrets of the College, which we are sworn to communicate to none but those that are members of this Society; and that, by the statutes, the government and affairs of our College are not by our consent to be examined by any whatever but only our particular Visitor, or by his Deputy sent and authorised by him, whom our Founder hath constituted and appointed the sole Visitor of our College, and we accordingly are bound by our oaths to conform ourselves to the said statute.”

And, if you tell me that we shall have a sufficiency of evidence, I reply, do you mean a sufficiency to afford a decent plea for acting upon your foregone conclusions, or a sufficiency for bringing out on all sides the whole truth, and placing it in the public view? The latter you cannot have, and if you may attain the former, I tell you it is on the part of the Executive Government a course to the last degree ungenerous and unjust, to enter in among the members of these useful and laborious bodies, and, by a distant perspective of patronage and preferment, to attempt to divide such men one from another upon matters the most immediately connected with their daily duties, their habits, and their affections, and the future peace of their usually tranquil communities.

And now, Sir, if I have touched upon even the legality of this Commission, and have denounced it

as wholly unconstitutional, I have not done so in the way of vague declamation only, as I shall forthwith proceed to show. I assert that this Commission, if not absolutely illegal, is unconstitutional, and that to such a degree, and in such a sense, that the House of Commons ought to repudiate and eschew it just as much as if it were absolutely illegal. And, firstly, no attempt at an answer has been made to the statement of the learned member for Newark (Mr. Stuart). In the second place, not upon my own but upon much higher authority, I say there is yet broader ground for doubting the legality of this Commission, and I challenge the Government to prove that legality. It seems to be assumed by them, that when it has been declared the Commission will lay claim to no coercive powers, the question is at an end. Sir, I deny that you have a right, under the name of inquiry, to annoy every body and unsettle every thing, and ride off upon the plea that you did not compel them to obey your wishes. I understand that on more than one occasion, at a period when our liberties were less mature and less fully developed than they now are, it has been solemnly adjudged in our Courts of Justice, that Commissions purporting to be of Inquiry, and issued by the Crown, are illegal, unless distinct statute or common law can be shown for them, which, in the present instance, has neither been done nor tried as yet.

But, Sir, even if the bare legality of this Commission could be maintained, I hold that it is odious in the eye of the Constitution, because it is the exercise of a pretended power by the Crown which is

neither law nor prerogative, and which, being neither, the Constitution of this country does not recognise, and, not recognising, condemns.

And here I cannot but express my astonishment that, from the opposite side of the House, or indeed from any part of this House whatever, there should have proceeded such a theory concerning the prerogative as has been broached to-night, if I understand him rightly, by the honourable member who spoke last. The honourable gentleman complains of our complaint, that the Commission is unconstitutional. He says the word 'constitutional' means something neither here nor there, something vague and undefined, which cannot be referred to any fixed standard. Sir, with reference to the present subject, I do not admit this vagueness. It appears to me that, considering how some two centuries of our history have been spent in a continued and successful struggle to define and fix the powers of the Crown, and its relation to other bodies and persons in the State, people really ought at this time of day to have some little notion, at least as regards those powers, of what is meant by the word constitutional. If there is one thing now clear, and indisputably determined, in our political system, that one thing is the position and function of the Crown. It has to exercise certain statutory powers, and certain known prerogatives. But, strange to say, the honourable gentleman seems to think, that the Royal prerogative is an undefined power held in reserve to fill up all the gaps in legislation, and to do what there is nobody else having by law any right to do. Against such a doctrine, which sets up prerogative as the indeterminate sup-

plement to the imperfection of human law, I protest with all my soul and strength : it is a pernicious and a slavish doctrine ; but I freely grant to the honourable gentleman, that unless it be true, unless all cases not provided for by law are to be dealt with by prerogative, it is impossible to justify the issue of this Commission.

Now, Sir, the question may be put, where lies the burden of proof ? The Crown, on the noble Lord's advice, is about to exercise a power which will affect corporate privileges, and through which private persons may be damnified. I say it is not incumbent upon us to prove the negative, to show that the Crown is acting without any warrant, but it is incumbent upon the noble Lord to show, in history and in law, a ground and a warrant for the exercise of that power.

Where, then, is there such a ground ? As to law, there is not so much as a shadow of it, except the Visitorial power with respect, not to the Colleges, but to the Universities : but, then, this Commission is not Visitorial, and will not act in virtue of that power. And now as to history. Some precedents have been alleged : let us examine them. Reference was made in general terms, in a lump as is said, to the old precedents of the sixteenth century. There were, during the reigns of Edward VI., Mary, and Elizabeth, abundant examples of Commissions, not indeed such as this, appointed to beg for information from any one kind enough to give it, but Commissions with power to examine, power to decide, power to visit and reform. Now I might fairly except against the attempt to found an exercise of power by the Crown

in 1850 on Tudor precedents. But I need not do so. Nor need I refer to the doctrine of a high legal authority, that the Crown at that time had power by the common law to appoint such Commissions of reform. For, even under those arbitrary Sovereigns, these Commissions were generally, perhaps even in every instance, appointed to exercise powers conferred by statute. The statute of the 26th of Henry VIII. conferred upon the Crown all visitorial and corrective jurisdiction in ecclesiastical affairs. The first of Elizabeth gave the same power in terms yet more specific, and gave express power for the exercise of it by Commissioners: and the Universities were at that period taken in law, as my learned friend the member for Plymouth (Mr. R. Palmer) acquainted us to-night, to be ecclesiastical corporations. But what has become of these statutory powers? The Government seems never to have adverted to the fact, (if indeed they have examined the question of right at all, which I do not believe,) that these powers were swept away by the Act of the sixteenth of Charles the First. James the Second indeed, of whom the noble Lord appears to-night as an imitator at an humble distance, attempted to exercise those powers notwithstanding the repealing Act. Every one knows, what share that attempt had in bringing about the Revolution. And then, the best security was taken against any repetition of such attempts by the Bill of Rights, which in express terms, while avowedly setting forth the fundamental guarantees of English liberty, stamped all such Commissions with the brand of illegality. So that no title for the present Commission can be drawn

from these ancient Commissions, which were only legal while they were statutory, and which the Legislature in the most solemn manner, one hundred and sixty years ago, has declared and made illegal.

Now, let us take the modern precedents, of which the noble Lord mentioned some three or four on a former occasion, and of which the right honourable Baronet, the Secretary of State for the Home Department, has laboured to night, with no great success, to add to the number. I will not stop to inquire, at any length, whether any of these Commissions were questionable in themselves, and whether one proceeding of doubtful right ought to be admitted in proof of the validity and propriety of another. But I will undertake to tear every one of these precedents into tatters, by showing that they differ in the most essential features from this case, and that the very points, which perhaps may make them warrantable, are here wholly wanting.

First: the noble Lord reminded the House that an inquiry had been instituted, some twenty-five or thirty years ago, into the state of the Scotch Universities. Well, Sir, it bore no resemblance to the Commission now proposed: it was not a fishing Commission: nor a prying Commission: nor a Commission dependent on the receipt of eleemosynary evidence. Its composition, in the first place, afforded the strongest presumption—first, of its legality, because the great bulk of the Scottish Judges sat upon it: secondly, of the consent of the parties interested, for among its members it had the heads of several of the Scottish Universities. In its professed purpose there was nothing suspicious or irre-

gular: it was addressed to Universities of a constitution very different from ours, and also to Universities not connected as ours are with separate collegiate foundations, and it was declared in the warrant to be appointed strictly in and for the exercise of Visitorial powers. The warrant recites as follows:—

“Considering that it is His Majesty’s undoubted right and prerogative to name Visitors and Commissioners to inquire into such irregularities, disputes, and deficiencies, and to remedy the same.”

Let the noble Lord confine himself to the exercise of Visitorial powers, and I for one shall not complain of his proceedings.

Again, Sir, this was not a halting Commission, like that now proposed, professing to examine a subject without the slightest pretension to power for insuring the production of the most material evidence. The warrant gave power to compel the production of any document, and to require evidence upon oath.

And, lastly, this was a Commission appointed to legislate for the Scottish Universities: and it did accordingly frame codes of statutes for each of them, which are set out in the Report.

So that the Scotch Commission was wholly different in its purpose, in its powers, in the character under which it acted, in the authorities for its legality, and in the presumably full consent of the bodies interested.

So much for the first modern precedent.

The second is, if possible, still less to the purpose. It is the Commission of Inquiry into Charities, which was procured by Lord Brougham. That was a

Commission in the very form in which I contend this ought to appear, if you had a case for inquiring at all: it was a Commission created by Act of Parliament. Let us by all means have a Bill introduced: we shall then find out, at its several stages, what is to be inquired into: we shall know, and shall have a voice in determining, who are to inquire: and the Houses of Parliament will have the opportunity of defending, against the noble Lord, both the dignity of the Crown and the rights of the subject. Why, Sir, I have looked into the Charity Commission Act, and with all due respect I say that the citation of it as a precedent is not only irrelevant, it is ludicrous. This Act not only gives power to summon persons, compel the production of papers, administer oaths, commit for refusals, and institute suits, (thus showing that what it really contemplated was positive abuse and malversation,) but it winds up by excepting from its own purview every thing that bears the least resemblance to those magnificent charities, into the state of which the noble Lord is about to inquire. It excepts the Universities of Oxford and Cambridge: Eton, Winchester, Westminster, Harrow, Rugby, the Charter House: all Roman Catholic foundations: all Colleges and Halls in the Universities: and finally, it declares that its provisions shall not extend to

“Any College, Free School, or other charitable institution for the purposes of education, which have special Visitors, Governors, or Overseers, appointed by their Founders.”

What could be more legitimate, than that where Founders had appointed no guardian of their bequests, the Legislature should provide for the exer-

cise of the guardianship : what can be more absurd, than to quote an Act of Parliament for inquiry into foundations that have no Visitors, as an apology for inquiring, without any Act of Parliament at all, into foundations that have Visitors already provided ! The present proceeding is, in point of fact, the proceeding in the case of the Charity Commission Act read backwards.

Then, Sir, the Ecclesiastical Commission of Inquiry, appointed in the year 1835, is brought in to pass muster on the present occasion. Now, Sir, at that time it was almost the universal feeling that large changes were requisite in the Church, which could only be effected by State authority : but I will not lay stress upon that fact : nor upon this other, that the Church collectively is no corporation at all in the eye of the law, much less a private corporation ; and that its rights, its securities, and the proper modes of dealing with it, are, in many respects, distinct. The difference upon which I stand is this : that Commission of inquiry was appointed with the good-will and assent of the parties. The leading prelates of the Church were members of it : nay, no part of the Bishops, or of the Capitular bodies, were known at the time to be dissentients. Subsequently indeed, when the recommendations of the Commission came to be made, they excited gradually increasing resistance : and then the rights of the Commission itself came to be questioned, but it was issued not only with general approval, it had I believe even the unanimous assent of the parties. Let the noble Lord show me this, or any thing in the very least resembling it, on the part of the Universities

and the Colleges, and I will then admit the precedent as good, which I now dismiss as wholly valueless.

But we have not yet done : the industry of the right honourable Baronet (Sir G. Grey) has to-night suggested as a fourth precedent, the inquiry into Educational Charities in Ireland, in the year 1824. I do not say he could have found a better : but there can scarcely be a worse. All these charities received support from public money : some only in part, others in whole. Wherever public money is given, it is difficult to place any limit on the title and duty of the State to examine into its application. Perhaps you will found the noble Lord's right to inquire into the state of the Universities upon the infinitesimal grants which are annually made to them. I advise you to make the most of that argument : say to the Universities, we propose this Commission, because you are in the receipt of public money. (A laugh.) But no ; you treat that idea as ludicrous, and it is so. Besides, even that plea totally fails, when you come to the Colleges, which receive no public money whatever, and which yet are, as we know, the real object of the proposed inquiry. And I hope the House will also look to what is yet more fatal to this allegation of precedent. The right honourable Baronet did not acquaint us that the charities in Ireland, which were the objects of this inquiry, were charities having Visitors of their own already provided. But if they were not, I grant at once that the case of eleemosynary institutions, in which there is no controul provided, is very different indeed from that of bodies like those now menaced, where there are regular and recog-

nised authorities to prevent abuse and to promote improvement, which legitimate authorities you do not attempt to put in action, although the Visitorial power over the Universities, and over several Colleges, is actually and legally in the hands of the Crown.

Finally, Sir, reference has been made to the inquiry of the year 1833 into municipal corporations; and here I must plainly say I think the rule applies, that you are not to prove one doubtful case by an appeal to another. The legal and constitutional character of that inquiry, under the authority of the Crown, is open to too much dispute to make it a safe foundation for another such inquiry. But, whatever may be wanting in the case for that Commission, it is an infinitely better case than the one now before us. The municipal bodies were not, like the Colleges, private, but were public corporations. When the Commission issued there was a widely spread belief, and one I apprehend not without historical foundation, that these corporations in general had originally been representative bodies of a popular character, and had in the lapse of time become close and self-elected. Now if that were true, it amounted to a breach of trust of the very gravest character, and in such a departure of these bodies from their proper constitution, there was an ample justification for the interference of the Legislature. I do not say that this was enough to justify the form of the preliminary proceeding, if the Crown went beyond its proper office, and appointed an organ constitutionally incompetent to conduct the investigation: but an interference to ascertain, with a view to correcting, a positive breach of trust, in a public body

exercising powers of taxation and government, is at any rate very widely different from a proceeding like this, when you are going to examine the case chiefly of private corporations, and altogether of corporations against which you bring no charge of breach of trust, but which you admit to be diligently engaged in the fulfilment of the main purpose for which you conceive them to exist. And, accordingly, the Commission of Inquiry into Municipal Corporations showed some apparent consciousness of right and real power, gave authority to require the production of documents, and to examine on oath, and commanded all subjects to be assistants to the Commissioners, language which I suspect the noble Lord will be slow to use in the Commission which he now proposes to issue.

Sir, such is the array of precedents alleged by the Government: and I feel justified in employing the familiar phrase that not one of them, for the present purpose, is worth a single straw.

And, Sir, as this arbitrary exercise of power is without law, and without example, so I shall proceed to show it is without limit.

Sir, I say we have a right to demand a clear definition of the power in virtue of which the Crown is about to issue this Commission. Now all we have been told is, that, as the Commission will lay claim to no coercive jurisdiction, it is therefore legal and constitutional. Is it then meant to insinuate that every inquiry into whatever subject that the Crown may choose to make is legal and constitutional? If not, what are the subjects into which it may inquire, what are those into which it may not, and by what

intelligible rule or principle are they distinguished one from the other ?

The Secretary of State did not in his speech claim for the Crown the right of universal inquisition : but he alleged the Visitorial power of the Crown over the Universities. Sir, he could not have exposed more glaringly the weakness of his case. There are two answers, each of them, even if alone, conclusive. The first is, that the real object is not to inquire into the Universities, with respect to which almost every thing is already patent to the world, but into the Colleges; while of the Colleges, except a few of them, the Crown is not the Visitor. The second is, that this inquiry is not Visitorial at all. It is admitted on all hands that the Crown is bound to a certain mode of exercising the Visitorial power. It must be exercised by the Queen in the Queen's Courts: in the Court of Chancery for breach of trust—in the Queen's Bench, I believe, if not for breach of trust. But the Crown has no power to exercise the Visitorial office through the medium of any Commission which the noble Lord may choose to appoint.

But, Sir, as the Secretary of State has referred to the visitorial power of the Crown, I will ask, why has that power not been put into exercise ? or, why, at least, has the question not been examined whether, and how far, this could be done with advantage ? Sir, I say that perhaps all, certainly most, of what is required for the Colleges, can be accomplished by the Collegiate bodies themselves, with the aid, or at the suggestion, of their Visitors. Let the Crown, in its capacity of Visitor of certain Colleges, discharge its full duty, and, having done

all it can in that capacity, if more shall still remain to be done, let it then come to Parliament for power: and let us see whether other Visitors do not follow the example of the Crown in using their powers. There are two ways, Sir, of going about the work of reform in matters such as these. One is regular and legitimate: it is to respect what has been established by those who have preceded us, and to use the instruments they have provided until we find them ineffective. The other way is, to pass by precedent and principle, and to fall back on an arbitrary, indefinite prerogative, without any basis in history or law, but for which it is hoped to obtain either the sanction, or the tacit allowance, of this House, because many of its members, thinking an enquiry into the state of the Colleges desirable, will not take the trouble to consider the legitimacy of the means, by which the end they desire is to be reached. This may be the way to save trouble, and to catch popularity with those who do not like to find obstacles between themselves and their plans of hasty change; but it is a slovenly and an unworthy way of conducting the business of the country, and a way of evincing a disrespect to these venerable and venerated bodies, which they have done nothing to deserve.

Sir, I must pursue still farther the question, on what the pretended right of the Crown to order this inquiry rests? I defy you to show a right of the Crown to inquire into the state of these Colleges, by any form of argument which will not also reach to asserting the whole of the preposterous proposition, that the Crown has the right to make

any inquiry it pleases, however great the nuisance, provided it does not assume the exercise of coercive powers. That proposition the Government shrinks from asserting in terms : but, if the Crown has not the right to inquire into any and everything, I want to examine strictly the question, what it is in the constitution or condition of the Colleges of Oxford and Cambridge, which brings them within the scope of this office of inquiry, that we may see how far it extends, and into what institutions, or what private concerns, to-morrow or next day, an inquiry may be ordered. I remind the House that, in the eye of the law, these Colleges are private eleemosynary incorporations. Now, is it meant to assert a right of the Crown—and all along I am speaking only of the rights of the Executive Government, not of the Legislature—to inquire into all such incorporations? If so, let us consider how far this will carry us. I see near me my honourable friend, the member for Maidstone (Mr A. Beresford Hope). With a public spirit and munificence, on which I should dilate freely if I were not speaking in his presence, he has been engaged in the foundation of an eleemosynary institution at Canterbury, which is in the strictest sense a College, and which has a charter. I want to know whether that College is, or is not, liable to be subjected, at the pleasure of the noble Lord, to inquiry by a Royal Commission? I say, it is material for my honourable friend, it is material for all those who may have shared in such works, it is material for all those who may intend to devote their substance and their care hereafter to establishing such foundations, that they should

know whether their establishments are to be liable, perhaps in their own lifetimes, to any and every inquiry, by whatever persons, and with whatever object, at the pure will of the Minister of the day?

But, perhaps it will be said, the College of Saint Augustine at Canterbury is not in the condition of a College connected with an University; but those of Oxford and Cambridge are so: and, although they may be in themselves private incorporations, yet these Universities are public incorporations, existing under statute, and both of them have laws excluding from them all persons except such as have obtained admission into one of these Colleges or private incorporations. So you may attempt to found your proceeding upon the distinction between these two classes of Colleges, and may plausibly urge, that the Colleges of Oxford and Cambridge, although private foundations, yet, having a monopoly of the admissions to the Universities which are public, holding in their hands (so to speak) the key of matriculation, are themselves virtually public. Is this then your defence?

If it is, then I must remind the House, that Oxford and Cambridge are not now the only English Universities. Besides Durham, of which I need not speak particularly, we have the University of London. Now a great variety of Colleges through the country are affiliated to the University of London, just as the Colleges in Oxford and Cambridge are affiliated to those Universities respectively. Again, the same rule, I am informed, prevails with respect to matriculations. No student can be admitted to the University of London without having been admitted

to one of these Colleges. Consequently, this pretended right of inquiry, even limited by the argument I am now handling, seems to reach to the Colleges affiliated to the University of London. Is it then so? The students of King's College, for instance, are admissible to the London University. Is that College subject to the inquisition of the noble Lord? Perhaps you will say, that is a College of the Established Church, and we may cut and carve it as we please. Well, Sir, let that pass; but we are now in the midst of a large family of Dissenting Colleges. How are they affected by this proceeding? Can the noble Lord, at his own will, appoint a Royal Commission, composed also at his discretion, to enquire into the state of the Wesleyan College at Richmond?—of the Independent College at Highbury?—of the Roman Catholic College at Oscott?—and of other Roman Catholic Colleges? All these religious communities have Colleges founded by private munificence, like those of Oxford and Cambridge, and like them, enjoying, by connection with an University, State privileges. There are also, I believe, one or more Colleges not so easily described, which are not seminaries of any particular religious persuasion, but belong to those whom the Master of the Mint (Mr. Sheil) lately, with singular felicity, designated as “Christians unattached.” I say to the Government, if you are entitled to inquire into the concerns of the Oxford and Cambridge Colleges, show me upon what principle these establishments can be secure against your assumptions of power: if you tell me that these Colleges of the London University are not subject to your prerogative of enquiry,

I then say, show me the distinction between them and the Colleges of Oxford and Cambridge which excludes the former and includes the latter. Above all, I say do not proceed in this matter without some rule or principle of some kind to guide, and give no sanction to the doctrine of an undefined and arbitrary prerogative, without either authority from the past or limitation for the future.

But further, Sir, I want to know whether, if we tolerate this power of enquiry, which is now to be put in operation, we can prevent it from extending even to the private affairs of any gentleman in this House? The same plea, that no coercion is intended, might still be employed: and no other plea in favour of such an alleged power has on this occasion been employed. If this proceeding, then, be lawful—if the argument I have used as to the scope of the power cannot be answered—I ask, not for bare general declarations, that such inquiry into private affairs is not meditated by the Minister, but for reasons and grounds of law which shall show that he admits its illegality. He can give me none, but those that would also condemn his plan of to-day. He has, I grant, just as much authority to execute that plan as he has to send a Commission to my door, to receive voluntary evidence, from those who go in and out, respecting what passes within the house; just as much authority as I have to send a commission to the door of the noble Lord for a similar purpose. Sir, I say that, for all we have heard from the Minister to the contrary, this is strictly a true representation: and, again, I challenge the Government to show wherein the difference, not of fact but of right, consists.

Sir, if I have spoken strongly upon this subject, it is because I feel strongly, because I faithfully convey the impressions which the examination of it has left upon my mind; and most earnestly do I wish, that the House of Commons would separate from their desire to obtain an inquiry into the state of the Universities and Colleges, the totally different question of the wisdom, the legitimacy, nay, even the legality, of the means which the Government proposes to employ: and I am convinced that nothing else is necessary in order to insure the condemnation of the project; and that the House would act a wise part, if, instead of abetting it, they would join in urging the noble Lord to reconsider the course he is inclined to take, to come to Parliament, and ask, in the regular manner, for full powers to institute such an inquiry, if inquiry be needed, as will bring out the whole merits of the case under public authority, and then to submit to us the grounds on which he may think it his duty to propose any legislative measure.

Sir, I do not deny that the freedom and self-government of particular corporations in a State bring with them great dangers; but I maintain that, according to the genius of our institutions, and the character of this people, they are absolutely essential to the real health and vigour of the Universities. I do not scruple to go farther, and to say, that a worse system of management, a less economical administration of the property, nay, even a more defective machinery of instruction, with freedom and self-government, will, in the choice of evils, be better than the most perfect mechanism, the

best system of account and finance that any amount of Parliamentary interference can secure. I will not say that it is impossible for the State, by interference with such seminaries of learning, to increase the amount of scientific acquirements; but the pursuit of science is a small part of the business of education. When I attempt to plead the cause of the English Universities, I will not presume to deny that they have done for learning what has been, on the whole, less than in the abstract it might have been; but they have nevertheless done what has answered the circumstances of the times, and the exigencies of the country. And when we look to the lawyers, the divines, and the statesmen of England, the best, and by far the largest, part of whom have been reared in these Universities, I feel that we need not be ashamed of them, or of the cradles in which they were nurtured, on account of any inferiority in their merely scholastic or technical acquirements, (if such inferiority there be,) as compared with the leading men of other countries. But freedom and self-government we must have in these institutions, and we must brave their risks, on account of their surpassing benefits.

Sir, in proof of this proposition, I will refer in a word to what happened in the age of Mary Tudor. In that unhappy period, the Universities sustained the heaviest shocks of theological controversy, being driven first one way, and then another, having now one set of teachers, and now another, and they were exposed to all those changes that distract the mind, and are incompatible with the tranquil pursuit of

learning, and that concentration of mental power which it requires. The consequence was that, in that reign, and indeed it may be said in that century, the interests of learning were at the lowest ebb in the Universities; their numbers were low, their studies neglected, works connected with science exceedingly scanty. There was no want of good intentions on the part of the State; for in that century every Sovereign, whatever his religious tendencies or opinions, felt and acted kindly towards the Universities, and while the Church was plundered, the Universities (apart from the Monastic bodies which were connected with them) were spared. What did Mary do? She bestowed on the Universities many ecclesiastical estates, she gave them benefices, and various other advantages. According to Professor Huber's historical account, she invited over a number of learned foreigners, and the Star Chamber itself was invoked to defend the University against the city of Oxford, in those habitual feuds which had not yet been brought to a termination. Notwithstanding all this friendly interposition on the part of Mary, the state of the Universities continued to be lamentable during the whole of her reign. Now listen to the account which that learned, assiduous, and philosophical inquirer, whom I have named, has given of the reasons why all this friendly care failed to secure a return of prosperity to the Universities. I read from the translation of Mr Newman, which appears in this place at least to convey the sense of the original:—

“The cause of the failure is easy to discover. The Universities had everything, except the most necessary element of all—Freedom: which, by the immutable laws of nature, is always an indispensable

condition of real and permanent prosperity in the higher intellectual cultivation and its organs. In vain has brute force at any time sought, for the sake of some political aim, to thwart this law of nature : those shadowy beings, scientific officers and corporations, can never become a substitute for the genuine and wholesome energy of life.”
 —*Huber's History of the English Universities*, Vol. I., p. 290.

Sir, this passage, I apprehend, contains the truth of the case. Undoubtedly you may, by State interference, do many things : among the rest, you may provide that every chair in the Universities shall be filled by a man of high attainments, but living study you cannot create by political agency ; moral and social and religious progress in the Universities you cannot secure either by the coercion or the influence of the State.

I must now call the attention of the House to another point which I fear has not been duly considered. I cannot help thinking that the course the noble Lord is about to take will tend very greatly to discourage the establishment of eleemosynary foundations. There is no doubt that any individual, who may be deliberating with himself whether he will or will not devote a portion of his substance for prosecuting the objects of learning, civilization, and religion, may well be checked by the prospect, that at any given time, and under any given circumstances, a Minister, who is the creature of a political majority in this House, may institute, without the authority of Parliament, a State inquiry into the mode in which the funds he may devise shall happen to be administered. Every one must think that that would be a discouragement to all eleemosynary establishments. But will it be wise so to discourage them ? There was a time when it was perfectly

right to pass statutes of mortmain, when the wealth of corporations was such as was likely to impede the progress of industry, and to absorb a great portion of the landed property of the country. But that is not so now—we are now a nation developing unexampled energies in the pursuit of trade and of material wealth. Do you not think it a good and a far-sighted policy to pursue a generous and a favourable conduct towards those who may be disposed to rescue some part of that wealth from pursuits merely material, and devote it to the cultivation of all that is most elevated, and most elevating, in the human being? Take these foundations at the best, take them at the average, or take them at the very worst, are they, have they ever been, otherwise than signal benefits to the country? Do we not rely on them, in a great degree, to maintain against the shocks of ruder elements the higher and nobler life of the nation? For the sake alike of religion and of civilization, alike of the moral training of the mind and of its vigorous intellectual development, our tendency and desire should be to encourage, within every reasonable limit, these appropriations of property, which are among the very noblest gifts that an earlier can transmit to a later generation. In all times, even the very worst, they have been admitted to deserve that character: hence, down to our day, they have escaped the hand of the spoiler, and I trust and believe they will still baffle his attempts.

And I entreat the House to consider the bearing of this part of the argument on the respective interests of various classes of society. This House would not wish that civilising studies should be

exclusively confined to the higher classes, but that they should find their way to the labouring population; for this is emphatically true, that these foundations at this moment are, and still more is it true that heretofore they have been, in no small degree the especial patrimony of the poor. If we look through the history of the Reformed Church of England, we shall find that almost every learned man of that Church has been reared in the Universities, and an immense proportion of them have come from the humbler classes. On this ground I make an appeal to the noble Lord. How have those men found their way to distinction? Through these local foundations. The case stands nearly thus:—that those persons who have not enjoyed the advantage of that training in their early years which is given to the children of gentlemen such as sit in that House, but have had to rough it, having the rude unwrought materials of excellence in them, and having been partially educated at some grammar-school in their neighbourhood, came up to the Universities, and by means of these local foundations got fellowships which they never could have got, if they had been put at once into an unrestrained competition with the sons of gentlemen who had been trained in refined manners and in humanising studies from their earliest years,—a competition which, we may depend upon it, will be very unfavourable to the democratic character, and I use that word in its most honourable sense, which has always distinguished our Universities. If the Universities have one especial fault now, it is that they have too much the character of seminaries of the

higher classes. I ardently desire to see them embrace a larger number of the middle and of the labouring classes of society. Assist them you may. The noble Lord has large means in his hands of doing good by judicious communication with the Universities ; he will find there abundant readiness to enter into the consideration of judicious changes, and to effect them by regular means ; but by the noble Lord's present course he will lose all the advantages of his high position, of the influence that belongs to it when rightly used, and of the temper, so favourable to practical improvement, in the Universities themselves.

Sir, whatever their adversaries may allege against them, these Universities have borne a great and conspicuous part in the history of England, and no man can know the history of England without knowing something of the history of our Universities. I think the honourable Member for Buckinghamshire, in one of his works, has admirably pourtrayed what he calls the little world of Eton. Every public school in this country is a little world. It is not a mere school for instruction in books ; it is still more a school of manners and of life. The Universities are the same, but on a larger scale, and there is not a feature or a point in the national character which has made England great among the nations of the world, which is not strongly developed and plainly traceable in our Universities. For eight hundred or a thousand years they have been intimately associated with everything that has concerned the highest interests of the country. Not even now have they fallen behind the age. Under increasing difficul-

ties—under increasing competition—under a competition which, I rejoice to say, is increasing—they will do their best to answer the demands which the country may make upon them.

But of this, at least, I am sure, that of all bodies claiming a title to complain of the Universities, the House of Commons should be the last. Whatever may be said with regard to their scientific or classical training—however it may be urged that France has beaten Cambridge in mathematics—or that Oxford owes her manuals of classical learning to the Germans—at least the Universities have done their duty as the schools of our statesmen. It is in this assembly that the popular elements of the constitution have been developed; and it is in this assembly that men at least adequate to the time have never been wanting from the Universities. No doubt, there have been brilliant exceptions—as in the Prime Minister of the present day; and I do not wish to see a monopoly established either in the Universities or elsewhere; but I cannot reflect on the state of the Treasury bench, and the names of the distinguished men who sit there, without feeling that the Universities have no cause to blush in the face of the House of Commons.

Nor is this less, but even more, the case, when I turn to the side of the House which is not occupied by the Government and its supporters; because then I am reminded, that the most distinguished son of Oxford in the present century was likewise the man recognised by his country, recognised by the whole civilised world, not merely as a statesman of consummate capacity and pre-eminent distinction,

but as being, beyond all other men, the representative and the type of the genius of the British House of Commons. Oxford, Sir, made a great gift to the country, when it trained for public life the mind of Sir Robert Peel; and often as we shall have occasion to deplore his loss, I for one can never more deplore it than on this very night, when, had it pleased the Almighty to spare the life of that great man, he would, I am certain, have been here to throw his protecting shield over that University, of whose interests he was at one time the chosen guardian in this House, and which, after political exigencies had dissolved the connection between them, he continued, as I believe, to love to the very last with unabated ardour.

Sir, I deeply grieve that in this day we should be treating of such a matter at all, as of a blow aimed at the Universities by the noble Lord. I acquit him of the intention to inflict injury upon them, but his intention will not neutralise the mischief of his precedent; and whether actual mischief to the immediate objects of this inquiry be the result or not, he cannot be excused for having compromised and overborne, in the prosecution of his end, principles of the constitution and essential guarantees of British freedom. I am persuaded that, at an earlier period of the Session, when the House would have been disposed to a more full consideration of this question, when larger numbers of members would have taken part in the vote upon it, and when we should have enjoyed the powerful aid of which we are now deprived, we should have occupied, in defending the Universities, a position

of far greater advantage, and the sense of the House might probably have been declared in a manner adverse to the views of the noble Lord. Whether we have now a hope of such an issue to the debate, I dare hardly say; but, be that as it may, I again urge the noble Lord to reconsider the intention he has too hastily formed, and not to proceed with it, until he has given more time to the examination of the principles involved in this very grave question. But, Sir, whether the vote of this House may support and encourage the noble Lord or not, I at least cannot for a moment hesitate. Not denying either the power, or the right, or the duty of Parliament to consider and to take measures in regard to the state of the Universities, when adequate cause is shown, I both deny that such cause has been shown on this occasion, and I protest in the most emphatic terms against this unprecedented exercise of power by the Crown, this unconstitutional pretension to a novel and undefined prerogative. I protest against it as dangerous to all the liberties of the subject, as exposing to contumely and slight the dignity of the Crown itself, and as full of hazard, not perhaps in its immediate and palpable effect, but in the future development of the insidious principle it involves, to the Universities of England; to the Universities of England, whose property may indeed be secure from either power or will to attack it, but which you may more deeply wound in those far more precious liberties, which are the one essential condition of their vigour and their well being.

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WORKS AND LIFE
OF
GIACOMO LEOPARDI.

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1. *Opere di Giacomo Leopardi*. Edizione accresciuta, ordinata, e corretta, secondo l' ultimo intendimento dell' autore, da Antonio Ranieri. Tomi II. Firenze. 1845.
2. *Di Giacomo Leopardi* Volume Terzo. Studii Filologici, raccolti e ordinati da Pietro Pellegrini e Pietro Giordani. Firenze. 1845.
3. *Di Giacomo Leopardi* Volume Quarto. Saggio sopra gli Errori Popolari degli Antichi. Pubblicato per cura di Prospero Viani. Firenze. 1846.
4. *Epistolario di Giacomo Leopardi*. Raccolto e ordinato da Prospero Viani. Tomi II. Firenze. 1849.
5. *Poesie di Giacomo Leopardi*. Napoli. 1849.

GENIUS, unless guided by a malignant spirit, has an indefeasible claim to our sympathy in its reverses, and in its achievements to our fervid admiration: nor is there any more touching, any more instructive lesson, than such as are afforded by its failures in the attempt to realise, out of its own resources and without the aid of Divine revelation, either intellectual contentment or a happy life.

In the writings of Giacomo Leopardi there are other sources of pathetic interest: the misfortunes of his country, both its political and social, and its religious misfortunes, and his own personal difficulties and calamities, have stamped their image indelibly upon his works, and may be traced while we peruse them, not only in the solemn and impassioned verses, or in the mournful letters, of which they are more or less directly the theme, but in the tone which pervades the whole.

We believe it may be said without exaggeration, that he was one of the most extraordinary men whom this century has produced, both in his powers, and likewise in his performances, achieved as they were under singular disadvantage. For not only did he die at thirty-eight, almost *nel mezzo del cammin di nostra vita*, and at the time when most great men are but beginning the efforts which have stamped them with that character; but likewise, 'Heaven's unimpeached decrees' in his case nearly—

'Made that shortened span one long disease.'*

* From Mr. Canning's Verses on the Death of his Eldest Son.

By the time he was seventeen, he had destroyed by the ardour and intensity of his studies the very foundations of health and strength. From that year forward he was an invalid, with intervals of remission, progressively growing shorter, and very frequently under acute pain or most severe nervous depression; and his sight fell into so deplorable a state, that for more than a twelve-month from March, 1819, he was totally unable to read, and nearly so to write. A short letter, for example, which he begins on the 1st of October he cannot finish until the 22nd.* The life thus wasted by disease was likewise frightfully oppressed by melancholy—not a melancholy *ad libitum*, gentle and ladylike, but one that was deeply seated both in physical and moral causes. Let us hear him at eighteen: *A tutto questo aggiunga l'ostinata, nera, orrenda, barbara malinconia, che mi lima e mi divora, e collo studio s'alimenta, e senza studio s'accresce.*† In 1828 there came, from renewed application to literary labours not of choice but for subsistence, what he considered the final overthrow of his health and constitution.‡ And in December, 1830, he prefixed to his poems, being then thirty-two, a dedication to his Tuscan friends, from which we make this touching extract:—

‘Sperai che questi cari studii avrebbero sostenuta la mia vecchiezza, e credetti colla perdita di tutti gli altri piaceri, di tutti gli altri beni della fanciullezza e della gioventù, avere acquistato un bene che da nessuna forza, da nessuna sventura, mi fosse tolto. Ma io non aveva appena vent'anni, quando da quella infermità di nervi e di viscere, che privandomi della mia vita, non mi dà speranza della morte, quel mio solo bene mi fu ridotto a meno che a mezzo; poi due anni prima de' trenta, mi è stato tolto del tutto: e io credo oramai per sempre. Ben sapete, che queste medesime carte io non ho potuto leggere; e per emendarle m'è convenuto servirmi degli occhi e della mano d'altri. Non mi so più dolere, miei cari amici; e la coscienza che ho della grandezza della mia infelicità non comporta l'uso delle querele. Ho perduto tutto: sono un tronco che sente e pena.’§

With a life thus limited to thirty-eight, and with only the first moiety of it available in the ordinary degree for study, Count Giacomo Leopardi amassed great stores of profound and varied learning, proved himself to be possessed of profound literary judgment, exquisite taste, and a powerful imagination; and earned in his own country the character summed up in the words of one of his editors, as *sommo filologo, sommo poeta, e sommo filosofo.*|| He¶ was born on the 29th of June, 1798, at Recanati, in the March of Ancona, the eldest son of Count Monaldo Leopardi,

* Op. V., p. 157.

† Op. V., p. 24.

‡ Ibid., VI., p. 195.

§ Poesie, p. v., Op. V., p. 153.

|| Pietro Giordani, Op. III., p. vii.

¶ See Ranieri's Notizia, Op. I., p. x.; Autobiographical Memorandum, Op. V., p. 467; also pp. 86, 89; also Op. III., p. 463.

himself in some sense a man of letters, but of temperament and opinions the most opposite to those of Giacomo. He had for his tutors two priests, who instructed him in Latin and in the elements of philosophy; but he had no teacher or adviser of any kind in his studies after his fourteenth year, and it is plain that he had outstripped his nominal guides long before it. He says himself that he commenced his independent course of study at ten. A French writer, we perceive, asserts that he began Greek at eight, his tutors rendering him no aid, but with the grammar of Padua in his hand. He continues with *naïveté*, and we doubt not with truth: *l'enfant jugea cette grammaire insuffisante, et décidé à s'en passer, il se mit à aborder directement les textes qu'il trouvait dans la Bibliothèque de son père.** We are involuntarily reminded of Hermes, respecting whom it is recorded in the Homeric hymn, that—

‘ ἦφρος γεγωνῶς, μέσφ’ ἤματι ἐγκιθάριζεν,
ἐσπέριος βοῦς κλέψεν ἐκὴν βόλου Ἀπολλῶντος.’

Not later than when he had just completed his tenth year, he commenced the course of study which he himself calls *matto e disperatissimo*, not only without a teacher, but without the faintest suggestion for his guidance, without encouragement, without sympathy. Never, as he writes in 1820, did he seek or get any other aid than his own patient toil.† No one, as he tells Giordani in 1817, was at hand to secure him against blundering at every step he took; ‡ and he had been taught by those around him not to covet the knowledge of the classics, but to despise them. By the time, however, that he was sixteen years of age, living for the most part in a library, of which the contents had been collected by his father, he became master, not merely of the whole range of the literature properly termed classical, but of a large portion of the works of the later Greek and Latin authors of different schools, and he was also extensively conversant, at least in certain departments, with the works of the Fathers of the Church. That is to say, he had not merely read and understood these authors, but he composed in the year 1815, at the age we have last named, a work entitled *Saggio sopra gli Errori Popolari degli Antichi*, and forming the fourth volume of this collection, which showed that he had a mastery of their contents and a facility in the use of them, such as few men of any single generation have attained even in their mature or declining years.

In the meantime the study of other languages was not neglected. In his own tongue, above all except the Greek, he was training his exquisite critical faculties, and was growing to be

* Op. III., p. 315; from the *Revue des Deux Mondes*, Sept. 15, 1844.

† Op. V., p. 174.

‡ *Ibid.*, p. 23.

profoundly acquainted with its scholarship and one of its very best prose writers. But he also gathered as he went along a knowledge of French, English, Spanish, German, and Hebrew. The volumes before us contain evidence that he composed with ease, at any rate in the two first of these languages. In or about his eighteenth year, his critical collections in MS. amounted to six or seven large volumes;* and though it is unsafe in general to measure by quantity, any reader of his works will be aware that he was absolutely incapable of writing trash. In 1817 he heard that some literary foreigner, whose name is not mentioned, had sent him word that he might become a great philologist.† Before that time he was solely sustained and stimulated by that inborn consciousness of genius which lives and works long before it speaks, and by a presentiment of greatness from which modesty was by no means excluded. Thus he writes in September of the same year to Giordani:—

‘Certo che non voglio vivere tra la turba: la medioerità mi fa una paura mortale: ma io voglio alzar mi e farmi grande ed eterno coll’ingegno e collo studio: impresa ardua, e forse vanissima per me, ma agli uomini bisogna non disanimarsi, nè disperare di loro stessi.’‡

May his words be as a spark to light up similar aspirations in the breasts of English youth, but under better auspices, with better safeguards, and for a happier end.

To estimate aright the magnitude of his efforts and successes, particularly with regard to Greek, the literary atmosphere, so to speak, in which he lived must be taken into account. From the volumes before us it would appear that this noble study, so widely spread in some countries of Europe, is not only neglected, but is within a few degrees of utter extinction in Italy. Giordani, in giving his reasons for not reprinting a remarkable work of Leopardi’s, states that ‘in Italy it would be rather hopeless than simply difficult to find a competent printer for a work almost wholly Greek; and to find so many as five readers for it quite impossible.’§ The errors in the Greek typography of the volumes before us, and even of the *errata* appended to them, give some colour to the statement. Another of Leopardi’s editors, Pellegrini, assures us that not only the works but the names of the German philologists were unknown throughout Italy at the time,|| and seems to speak of a thorough knowledge of Greek as being still next door to a miracle there.¶ There is probably exaggeration in these testimonies, and it is fair to observe that the

* Op. V., p. 34. This was in May, 1817, when he was approaching nineteen; but it appears, from pp. 48, 49, 52, that his health had then been broken for nearly two years, and that for several months he had almost entirely given up reading.

† Ibid.

‡ Op. V., p. 57.

§ Op. III., p. xx.

|| Ibid., p. 298.

¶ Ibid., p. 292.

very work to which Giordani refers was twice printed at Rome, while the Chronicle of Eusebius, on which it was a commentary, proceeded from the Milanese press. Leopardi himself, however, writes from Rome to his father in 1822, that all learning except such as is archæological was utterly neglected in that city, which it is plain is very far from being the literary capital of Italy; and adds,* ‘the best of all is, that one does not find a single Roman who is really master of Latin and Greek,’ though he has met with some learned foreigners ‘*ben altra cosa che i Romani.*’ The most pungent evidence of all perhaps is, that when preparing the Preface to his ‘Saggio’ in 1815, the boy takes care to apprise his readers, that he has translated exactly from the original into Italian all his Greek citations, putting those from the poets into verse. He dealt with them as in this country a writer would deal with citations from the Sanscrit; and it is scarcely an exaggeration to say, that in order to estimate aright the energy of character and of intellect required for such efforts as his, not merely in Italy but at Recanati, we must conceive a child among us scarcely yet in trowsers, setting himself to Sanscrit, and acquiring it without a master in less than half the time that the most promising pupils would generally spend upon it, with all the apparatus and all the inspiring associations of learned society and of suitable establishments to assist them.

His literary life divides itself into two great periods: the first of them occupied by his philological labours and by translations from the classical poets, the second chiefly by poetry and philosophy. The division is not minutely accurate; but his first poem of any note was written in 1817, when in its own words he was a *garzon di nove e nove soli*: he only published three of his odes before the year 1824, and he had then written but little poetry; he had for some years before that, from the state of his sight as we suppose, almost entirely ceased from his philological labours, and had already designated them as the studies of his boyhood.† And all his efforts in philosophy belong to the later division of his life, which begins about the last-named year.

The earliest composition among his published works is the ‘Essay on the Popular Errors of the Ancients,’ dated in the year 1815, and written therefore in his 17th or early in his 18th year. It is remarkable not only for the quantity of erudition, classical and patristic, which he had even then accumulated—his editor has appended a list of near four hundred authors whom he cites—but for the facility with which he handles his materials, and with which also he philosophises upon them.

* Op. V., pp. 249, 51.

† Op. V., p. 268, in January, 1823.

Homage is emphatically rendered in this work to the Christian religion: the youthful author tells us that unbelief had generated worse prejudices than had ever sprung from credulity, and that the name of philosopher had become odious with the sounder part of mankind; he declares* Christianity to be the second mother of our race, and asserts that the true Church had ever condemned superstition,† against which she is the true and the only bulwark.‡ And yet we see a baleful shadow projected even at this early period over his future, where he eulogises Voltaire as ‘that standard-bearer of bold minds, that man so devoted to reason and so hostile to error.’§ The time was too near at hand when he would be prepared to subscribe that scoffer’s words:—

‘*O Jupiter, tu fis en nous créant
Une froide plaisanterie.*’

But what strange idea and stranger practice of education must prevail, where the admiration of Voltaire as an apostle of true reason grows up peacefully in the mind of a boy, side by side with the admiration of the Church of Rome as the unsparing foe of superstition!

To those who may examine the work, we would point out the enumeration of errors touching physics (commencing at p. 117), and the twelfth chapter on the Earth, as good specimens of it. The whole, we are told, only occupied its author for two months;|| but it is a work not unworthy to live.

The only specimens of original composition in Greek verse (in Latin there are none) which these volumes afford, are two Anacreontic odes, written in 1817.¶ We doubt whether they justify the panegyric of Giordani, ‘*Per verità neppure esso Anacreonte le potrebbe discernere tra le sue proprie figliuole.*’ They would, we suppose, when cleared of some inaccuracies, probably due to defective typography, be termed good exercises at Eton, but no more; and this is among the easiest descriptions of Greek composition. But it is not to be inferred from hence that Leopardi could not have excelled in the difficult parts of this as much as in other departments; and besides, we are to recollect, first that he wrought without a master; secondly, that his exertions were made for glory; he writes to Giordani:—

‘*Io ho grandissimo, forse smoderato e insolente, desiderio di gloria.*’ (March 21st, 1817.)*

And Italian taste and study do not appear to be directed towards composition in the classical languages at all, if we except Latin prose for particular purposes: the branch, let it be added, in which our own public schools and universities least excel. We

* Op. IV., p. 303.

† Ibid., pp. 32, 33.

‡ Ibid., p. 300.

§ Ibid., p. 99.

|| Op. III., p. 465.

¶ Vol. iii. p. 148.

** Vol. v. p. 14.

find

find here and there some fragments of what may be called commentator's Latin, from which it would appear that he at once made himself master of that instrument.

More remarkable, we think, were his translations from the Greek. In 1815 he published, and therefore not improbably in his seventeenth year wrote, a complete translation of Moschus, with a learned and acute discourse prefixed to it, containing, among other things, a severe criticism upon the affected and licentious manner of certain French translations of his works and those of Anacreon. He was, however, at all times a sharper critic to himself than to any other author. He says, while yet a youth, '*Sono io di tal tempra, che nulla mi va a gusto di quanto ho fatto due o tre mesi innanzi.*'* And again, he writes playfully, that at a former period his compositions were fit to last only for a day, but now for a whole week;† and he soon became dissatisfied with this work, which, nevertheless, appears to be extremely well executed.

In 1816 he went on to publish a translation of the first Book of the *Odyssey*; and in 1817 the second Book of the *Æneid*. He was himself sensible of the great difficulty of translating Virgil, and his own effort must be admitted to be a failure; the spirit of the original evaporates in the operation, and the work is dead and flat. It is also rather diffuse: for example, the three noble lines, beginning *et si fata deum*, are rendered into nearly six. Nor has it the perfect fidelity which he claims for it, saying *ho tenuto sempre dietro al testo a motto a motto*.‡ Take, for instance:—

‘*cadit et Ripheus, justissimus unus
Qui fuit in Teucris et servantissimus æqui.
Dis aliter visum.*’

He renders it—

‘*cade Rifeo
De’ Trojani il più giusto e il più fermo
Del dritto servator. N’ ebbero i numi
Altra sentenza.*’

In which it is obvious to remark that he has not at all touched the peculiar force of *unus*, and that while Virgil certainly intended to convey a variation of idea by the use of the word *æqui* after having already called Ripheus *justissimus*, it is impossible to discriminate between the *giusto* and the *dritto*. We still more question the rendering which follows. Surely Virgil did not mean that the gods considered Ripheus to be a bad man, but intended to suggest elliptically, after *æqui*, the reflection, that such a man as Ripheus ought not to have been cut off;§ the idea,

* Vol. iii. p. 171.

† Vol. v. p. 83.

‡ Op. III, p. 169.

§ See Heyne and Buttmann in loc.

he it added, which he conveys more distinctly, a few lines later, about Pantheus:—

‘*nec te tua plurima Pantheu
Labentem pictas, nec Apollinis insula texit.*’

But then the mind of the narrator checks itself, and submits to destiny in the words *Dis aliter visum*.

In justice to Leopardi we should perhaps quote Dryden:—

‘*Then Rhipheus followed, in th’ unequal fight:
Just of his word, observant of the right.
Heaven thought not so.*’

That is, he simply takes his author by storm.

Leopardi, however, had a most exalted conception of the function of a translator. He says he translated the second book of the *Æneid*, because *he could not help it*; that after reading it, as was commonly the case with anything that he read and thought really beautiful, he was in an agony until he had cast it in the mould of his own mind:—

‘*Perciocche letta la Eneide (sì come sempre soglio, letta qualcosa è, o mi par, veramente bella) io andava del continuo spasimando, e cercando maniera di far mie, ove si potesse in alcuna guisa, quelle divine bellezze.*’—*Op.* iii. p. 169; *Compare*, v. 27.

And then he laid down a great principle:—

‘*So ben dirti aver io conosciuto per prova, che senza esser poeta non si può tradurre un vero poeta.*’—*Ibid.*

Which he extended in his Discourse on the Fame of Horace:—

‘*Finalmente si è conosciuto un gran traduttore essere un grande scrittore, e non poter dirsi raro, perchè la Fenice non è rara.*’*

Every translation of a great work, to be good, must have great original qualities. We must not confound the subject by assimilating the work of the translator to that of the copyist in painting. In that case the problem is to construct an image of the picture, given the same materials. But in the case of pure mental products the material form is the language, and the very condition of the work is that this be changed, as the workman must reproduce in another tongue; and in proportion as the original to be rendered is a great one, the union between the thought of the writer and his language is more intimate: at every step as the translator proceeds, he feels that he is tearing asunder soul and body, life and its vehicle; so that in order to succeed in his task, he must, within certain limits, create anew.

To create anew was Leopardi’s idea of translating, and such he very clearly showed it to be in his later efforts of this description, which are prose translations from Xenophon, Isocrates,

* *Op.* III., p. 116.

Epictetus, and others; executed in the latter part of his life, and only published after his death in the posthumous edition of his works. It is evident that while he was engaged upon them, the idea and aim of reproduction predominated over that of mere representation. And so far as we have been able to examine them in close comparison with the original text, we have found them not sufficiently precise in their character—their secondary character, as we readily admit—of copies, to satisfy a scholar of the English type: but admirable in their force and spirit; and, if viewing them with a foreign eye, we may presume to say so much—although only re-echoing the judgments of native and skilled Italians—faultless as compositions; bearing that stamp of freshness and of power, which realizes Leopardi's idea of a translator's function in its normal state.

We have other evidence, however, how deeply he had drunk in early life at classic fountains. In May, 1816,* he wrote, and in 1817 he published, in Italian blank verse, a Hymn to Neptune, which was purely his own, but which purported to be a translation from a recently discovered manuscript. We quote the following passage as a specimen:—

‘ *I Tessali Petreo*
Diconti, ed altri Onchestio, ed altri pure
Egeo ti noma e Cinade e Fitalmio.
Io dirotti Asfalco, poichè salute
Tu rechi a' naviganti. A te fa voti
Il noechier, quando s' alzano nel mare
L' onde canute, e quando in nera notte
Percote i fianchi al ben composto legno
Il flutto alti-sonante, che s' incurva
Spumando, e stanno tempestose nubi
Su le cime degli alberi, e del vento
Mormora il bosco al soffio (orrore ingombra
La mente de' mortali), e quando cade,
Precipitando giù dal ciel, gran nembo
Sopra l' immenso mare. O Dio possente,
Che Tenaro e la sacra Onchestia selva
E Micala e Trezene ed il pinoso
Istmo, ed Ega, e Geresta in guardia tieni,
Soccorri a' naviganti; e, fra le rotte
Nubi, fa che si vegga il cielo azzurro
Ne la tempesta, e su la nave splenda
Del sole o de la luna un qualche raggio,
O de le stelle, e 'l soffiar de' venti
Cessi, e tu l' onde romorose appiana
Si che campin dal rischio i marinai.’

If we are not mistaken in our view of the thoroughly Hellenic tone and basis of this composition, it is one going far to warrant what he said of himself, that the Greek form of thought was more clear and vivid in his mind than the Latin or even the Italian.*

It would appear, from a statement of his own, that the Roman world was completely taken in by this pretended discovery, and the keeper of the Vatican Library would have it that the original manuscript must have been filched from that great repository.†

We can dwell but little upon his philological achievements, although they constitute one of his most durable, and also his most innocuous, titles to fame. For notwithstanding that we have six pretty substantial volumes before us, all filled, or nearly so, with his productions, and everything that they contain is remarkable, there is among them no paper relating to classical philology or criticism so considerable as to give a full impression of his marvellous powers. It is with some reluctance that we refer to the cause. It appears, however, that in the year 1830, when he had left, and, as it proved, for ever, his father's house, his health being ruined, and his circumstances narrow to the last degree, he made over the whole of these papers—*lavori immensi*,‡ as he himself calls them,§ *ingens schedularum copia*, according to the receiver himself—to Mr. De Sinner; and it is plainly declared that he did this with the expectation which he founded upon his communications held with Mr. De Sinner in person, that they would shortly be given to the world, and would minister alike to his fame and his means of subsistence. But in 1832, he says that they send him from France, Holland, and Germany memoirs, translations, and laudatory articles, but no remittances.|| Nay, it appears that even to this day no one of all those manuscripts, except certain *Excerpta*, printed at Bonn in 1834, by way of *promulsis*,¶ has seen the light through the medium of their foster-father; and in the catalogue of his works, at the end of the third volume, we read with regret some thirteen times the words '*inedito presso il De Sinner*;' these titles comprising all his philological papers of moment, except one which he had published many years before. Nor is this singular state of facts ascribable to the negligence of the Italian editors: for we are distinctly informed that application was made to Mr. De Sinner for aid to their edition of the works from the materials in his possession, and that he neither gave the papers nor assigned any reason for withholding them.** We trust that

* Ranieri's Memoir, vol. i. p. xii.

† Vol. v. p. 46.

‡ Op. VI., p. 152. Egli, se piacerà a Dio, li redigerà e completerà, e li farà pubblicare in Germania, e me ne promette danari e un gran nome.

§ Op. I., p. xxix.

|| Op. VI., p. 195.

¶ Op. I., p. xxx.

** Op. III., p. ix.; and VI., 152.

there is a good defence to be made to this indictment; but the first aspect of the case seems to betoken an urgent necessity for either the vindication of such conduct or its amendment.

In the year 1814, at the age of sixteen and two months, he placed in his father's hands, as the latter has noted in a memorandum on the manuscript, his Revision and illustrations of the text of Porphyry *De vitâ Plotini et ordine librorum ejus*; and even this early production appears to have afforded valuable aid* to the labours of an older scholar, Creuzer, upon Plotinus. It was followed in the same year by his 'Commentary on the Life and Writings of Rhetoricians of the First and Second Centuries of the Christian era,' and by a 'Collection of Fragments of Early Fathers and Historians of the Church before Eusebius,' with his own notes.

But we will pass on from these, which remain unpublished, to his 'Annotations on the Chronicle of Eusebius,' which had been just edited by Mai from the Armenian version. They were written at twenty years of age, and printed in 1823, and it is their singular merit which has mainly engendered the existing dissatisfaction at the non-appearance of his other works of the same kind. The judgment of Niebuhr upon the author of this work, it has been properly observed, may suffice for those who have not the opportunity of examining it, without quoting the concordant testimonies of other scholars. He says, in a publication of 1823, '*Eruditissimi, quorum egregia inventa profero, sunt Bluhmius, jam inter jurisconsultos nobilitatus, et Comes Jacobus Leopardius Recanatensis Picens, quem Italiæ suæ jam nunc conspicuum ornamentum esse popularibus meis nuntio, indiesque eum ad majorem claritatem perventurum esse spondeo; ego vero qui candidissimum præclari adolescentis ingenium non secus quam egregiam doctrinam valdè diligam, omni ejus honore et incremento lætabor.*'† It is even more interesting to quote, as we are enabled to do on the best authority, the words of Niebuhr to his friend and successor the Chevalier Bunsen, when, upon hearing that the author of these *Annotazioni* was in Rome, he had with difficulty discovered his apartment. 'Conceive my astonishment when I saw standing before me, pale and ~~with a weak figure~~, a mere youth, in a poor little chamber, of weakly figure, and obviously in bad health, he being by far the first—rather indeed the only real Greek philologist in Italy, the author of Critical Observations which would have gained honour for the first philologist of Germany, and only twenty-two years old;‡ he had grown to be thus profoundly learned, without

* Op. III., p. 463.

† Ibid., p. 311. Niebuhr, Pref. ad Flavii Merobaudis Carmina, ed. 2, p. 13.

‡ Leopardi was at this time twenty-four, but only twenty when he wrote the Annotations.

school, without teacher, without help, without encouragement, in his father's sequestered house! I understand too that he is one of the first of the rising poets of Italy. What a nobly-gifted people!

Until the occasion when Niebuhr saw him in Rome, Leopardi had never quitted his father's house at Recanati. While prosecuting his studies in the library of the house, and almost living there, he had to bear * not only the negative evil of the absence of positive sympathy and aid, but the slights often due and always rendered to boy-critics and philosophers. From the editor of the 'Biblioteca Italiana,' to which he first made the offer of some contributions, he could scarcely obtain any notice of his letters,† and he gives a most lively description of the usual treatment *de haut en bas* he met with *tra questa vilissima plebe marchigiana e romana*:—

'Alla fine io sono un fanciullo e trattato da fanciullo: non dico in casa, dove mi trattano da bambino, ma fuori, chiunque ha qualche notizia della mia famiglia, ricevendo una mia lettera e vedendo questo nuovo Giacomo, se pure non mi piglia per l'anima di mio nonno morto 35 anni fa, che portò questo nome, s'appone eh' io sia uno de' fantocci di casa, e considera che rispondendo egli uomo fatto (fosse aneora un castaldo) a me ragazzo, mi fa un favore: e però con due righe mi spaccia, delle quali l'una contiene i saluti per mio padre. In Recanati poi io sono temuto quello che sono, un vero e pretto ragazzo, e i più ci agguingono i titoli di saccentuzzo, di filosofo, d'eremita, e che so io. Di maniera che s'io m'arrischio di confortare chicchessia a comperare un libro, o mi risponde con una risata, o mi si mette in sul serio, e mi dice, che non è più quel tempo: che venga avanti e vedrò io: che anch'egli dell'età mia aveva questo genio di comprar libri, il quale se n'è ito, venendo il giudizio: che il medesimo succederà a me: e allora io ragazzo non posso alzare la voce e gridare: Razza d'asini! se vi pensate, eh'io m'abbia a venire simile a voi altri, v'ingannate a partito: che io non lascerò d'amare i libri se non quando mi lascerà il giudizio, il quale voi non avete avuto mai, non eh'egli vi sia venuto quando avete lasciato di amare i libri.'§

This, however, was one of the rare and short outbreaks of vivacity for which indeed it is quite plain that he had all the natural materials in plenty, but they were crushed both by the real weight of his calamities and by the magnified powers with which his acute sensibilities invested them. He never, says Viani, could hold long the strain of merriment.|| His harp, like his mind and life, was naturally qualified for 'notes of gladness:—

'But yet it oftener told a tale
Of more prevailing sadness.'

* Op. V., p. 80.

† Ibid., pp. 64, 75, 76.

‡ In 1817, V., p. 72.

§ To Giordani, 5th Dec., 1817, vol. v. p. 73.

|| Op. III., 449.

A deep and settled melancholy came upon him early in youth, and accompanied him to the end. A distinguished person who knew him well, and, like all apparently who so knew him, loved him well, during his later years, assures us that he never saw Leopardi either laugh or smile. His friend and editor Ranieri states that he never sought compensation for mental sorrow, or tried to benumb its sting, by the brute force of sensual enjoyment. So that in every meaning he could have adopted the motto—

‘Ich gehöre nicht den Freuden an.’*

Whatever may be thought of the real causes of his unhappiness, it will be plain to all readers of his works and letters that nothing little and paltry ever found a place in his mind or would have given him a moment's care. An intense sensibility and craving for love and for the signs of love is visible throughout, and with it a real modesty and trustfulness, a genuine indifference to wealth and luxury, a spirit too lofty, perhaps too proud, for anything so poor as vanity. We take this exemption to be more clearly shown in no way than by the absence of anything like soreness of feeling about the defects of his personal appearance, while he was aware in full of the disadvantage they entailed. Describing the effect of his excessive studies, he says:—

‘E mi sono rovinato infeliceamente e senza rimedio per tutta la vita, e rendutomi l'aspetto miserabile, e diepregievollissima tutta quella gran parte dell' uomo, che è la sola a cui guardino i più, e coi più bisogna conversare in questo mondo: e non solamente i più, ma chiunque è costretto a desiderare che la virtù non sia senza qualche ornamento esteriore, e trovandonela nuda affatto, s' attrista, e per forza di natura, che nessuna sapienza può vincere, quasi non ha coraggio d' amare quel virtuoso, in cui niente è bello fuorchè l' anima. Questa ed altre misere circostanze ha posto la fortuna intorno alla mia vita, dandomi una totale apertura d' intelletto per cui io le vedessi chiaramente e m' accorgessi di quello che sono, e di cuore, per cui egli conoscesse che a lui non si conviene l' allegria, e quasi vestendosi a lutto, si togliesse la malinconia per compagna eterna ed inseparabile.’†

In this letter, written at nineteen, the reader will notice his great powers of expression, his tendency to philosophise, and a gloom as remarkable as his wonderful endowments. And from another passage in it, where he refers to another event that must happen, and had already happened in part, *una cosa più fiera di tutte*, we gather that he had already lost all hold of Christianity, and that he felt more acutely than any other evil the pain and shame of a continued exterior profession of it, as well as the fear of making the disclosure of his sentiments.

In addition to the *hiatus* in his works which we have already

* Goethe, *Bride of Corinth*.

† Op. V., pp. 86, 87.

noticed,

noticed, they are presented to us in a confused and irregular series, and there is nothing that assumes the name of a biography attached to them, while each of four editors has prefixed to separate portions some sketch of his own, and other piecemeal testimonies and panegyrics are given in different parts of the collection. Nothing can be more unfavourable to the formation of a just and careful judgment upon either the works or the life of the author.

In the absence, however, of a regular biography, the 'Epistolario,' containing between five and six hundred of his letters, supplies, though with great lack both of connexion and of explanation, many records both of his life and studies, and is of great interest on various accounts. He seems to have been from the first a master, as in other things that he touched, so also in letter-writing. When only eighteen he addressed the following to Monti, with a copy of his version of the second *Æneid*. Its ideas of course must not be considered according to English manners, but *mutatis mutandis*:—

‘*Recanati, 21 Febbraio, 1817.*

‘Stimatissimo Sig. Cavaliere,—Se è colpa ad uomo piccolo lo scrivere non provocato a letterato grande, colpevolissimo sono io, perchè a noi si convengono i superlativi delle due qualità. Ne altro posso allegare a mia scusa che la smanìa incomprensibile di farmi noto al mio principe (poichè suddito le sono io certo, come amatore quale che sia delle lettere) e il tremito che provo scrivendo a lei, che scrivendo a Re non mi avverrebbe di provare. Ricevrà per mia parte dal Sig. Stella, miserabilissimo dono, la mia traduzione del secondo libro della *Eneide*, anzi non dono, ma argomento di riso al traduttore della *Iliade* primo in Europa, e al grande amico del grande Annibal Caro. Ed ella rida, che il suo riso sarà di compassione, e la sua compassione più grata ed onorevole a me che l’invidia di mille altri. Non la prego che legga il mio libro, ma che non lo rifiuti: ed, accettandolo, mi faccia chiaro che ella non si tiene offeso dal mio ardimento, con che verrà a cavarmi di grande ansietà.’*

Somewhat later he had, as we may perceive from the next short extract, perfected his power of turning a compliment—a power certainly never so becoming as in a man of generally bold and independent character, and in this instance most gracefully veiling a rebuke. It is addressed to Count Perticari, himself an author:—

‘*Recanati, 30 Ottobre, 1820.*

‘Sig. Conte mio carissimo e stimatissimo,—Poco dopo la mia prima lettera, alla quale rispondeste graziosamente quest’anno passato, io ve ne scrissi altre due, alle quali non rispondeste. Ma non mi dolgo, che non voleste gittare in beneficio di un solo quel tempo che spendevate in vantaggio di molti.’†

* Op. V., p. 10.

† Ibid., p. 207.

The citations we have already made in the preceding pages may serve as specimens of the lighter and of some of the graver qualities of the letters contained in this collection, of which it may safely be said that the diction is at once careful and easy, natural and refined; the style terse, animated, and diversified in the highest degree; and the matter full of fresh evidence to the powers as well as to the calamities of the author.

Those which are addressed to his father are written in the language of conventional respect and affection, but under evident constraint throughout. In those to his brother, the Count Carlo, and to his sister, he is entirely free and unreserved, but they refer chiefly to matters of domestic concern, or of outward and minor, not always entirely pure, interest, and afford no measure in general of his powers or of his trials. It is in the letters to Giordani, the only *man* (July, 1819) that he knows,* that he most fully pours out his whole soul and displays the riches of his acquirements, of his critical taste, and of his constructive understanding. They abound, like those of Giordani himself, which are subjoined, with expressions of the warmest affection; and, indeed, the correspondence is carried on with the fervour and impatience of two lovers, and with a redundancy of attachment, breaking out into jealousies almost infantine, and slight quarrels just made in order to be mended; the stream only foams the more from being obstructed, and sometimes almost dammed up by the cruel, the abominable, the all-obstructing, all-devouring posts.

It is curious, too, to observe how the two minds respectively find their level according to their power, without strain or even consciousness. In the early part of these communications Giordani cheers, encourages, and patronises his youthful correspondent. But about Leopardi's 22nd year he began (see, for example, Op. V. p. 163), quite without ostentation or assumption, to act the tutor, and, in the familiar phrase, pat his friend on the back. This man, however—we understand an ex-Benedictine who had receded from his vows—for many years had a monopoly of the rich commerce of his mind; and he was an evil genius to it, confirming all its negative and downward tendencies by his own very gross and scoffing unbelief.

There are other parts of this collection of letters which throw light upon Italian manners and habits in small things and great. It is amusing to find Leopardi recommending his brother to give up his moustaches when he had just reared them to perfection, assuring him that the English, and even the French, not only did not any longer wear them, but even laughed at those who did. There are also many letters relating to the search for fit matches for his sister, and then for his brother, Count Carlo, which was

* Op. V., p. 151.

prosecuted with great vigour, not only in Recanati and the neighbourhood, but at Ravenna, Modena, Reggio, and Parma, with occasional references to Milan, Florence, and Rome.* We must not judge of these matters wholly with an English eye, but must recollect that the facilities of locomotion in a country and the habit of resorting to capitals give facilities of choice, the want of which elsewhere requires more or less the intervention of third parties. The practical difference between Italian habits and our own seems, however, to extend further. There the matter is openly entertained, discussed, and arranged by the relations, with a sort of *veto* in the last stage to the person most concerned. What sort of *veto*, it may reasonably be asked? We should presume from these letters, more than a Royal, but somewhat less than a Presidential one. But in England the whole actual process, except the bare initiative of social introduction, belongs even to a daughter, with a *veto* to the parents: in short, the English daughter exchanges places with the Italian father.

Injudicious, though doubtless well-meant, attempts appear to have been made to press him into holy orders; and they were, most unwarrantably, continued even after he had given evidence conclusive to any dispassionate mind of his infidel opinions: for in 1824 he published the *Bruto Minore*,† with its ominous appendix in prose, and some of his Dialogues were in print as early as January, 1826. In that month it seems that his father offered him a nomination to one or more benefices; and he accepted it on certain conditions, one of which was that he should be dispensed from saying mass after the first few days, though he had no objection to undertaking to recite prayers by himself instead.‡ For this he pleaded his studies and the state of his eyes as an excuse. A subsequent letter, however, throws a strange light upon the current notions of church property, and exhibits to us a form of abuse perhaps more flagrant, but perhaps also more rare, than those which prevail in England. He writes to say he hears that patrons are sometimes allowed at Rome to suspend a presentation for six or eight years, and to apply the revenues in the interim, subject to the usual burdens (of provision for divine service, we presume), for some honourable purpose. He then suggests that his father perhaps might make this arrangement with a view to his support, retaining all the time the same control over the money as over any other part of his income.§ In April, however, of the same year we find him finally || declining 'the benefices' which his father still pressed upon him; and the nomination seems to have fallen on his youngest brother.

We have referred to his view of his own language. Every day

* Op. V., pp. 289, 451, 3, 76, and *alibi*.

† Op. II., p. 99.

‡ Op. V., 393.

§ *Ibid.*, pp. 403, 404.

|| *Ibid.*

he read it as a portion of his studies;* and he early said (1817) that the man who had familiarised himself with the deeper resources of the Italian would pity those who were obliged to use any other tongue.† It was to him *la lingua regina di tutte le lingue viventi, e delle morte se non regina certo non suddita*.‡ Again, he is struck with the difficulty of translating the noble Greek word *ἄλλος*, represented sufficiently for our purpose by the English term *feat*.

‘Con qual parola italiana renderemo questa greca? *Travaglio* ha il disgustoso, ma non il grande e il vasto. Non pertanto io non m’arischio di affermare che questa parola non si possa rendere in italiano, tanto poco mi fido di conoscere questa nostra lingua, sovrana, immensa, onnipotente.’—Op. V. p. 50.

He was encouraged in this view of his own tongue by his friend Giordani, who writes to him *non s’impara mai bene la lingua, che è sempre infinita*.

Accordingly, when he published his *Canzoni* in 1824, he appended to them a philological commentary,§ which has been republished in the third or miscellaneous volume of his works. It is directed steadily towards a particular scope, namely, that of enlarging the resources of the language, rarely or never by arbitrary invention, almost always by recurring to its classical authorities; he criticises with great severity the *Della Cruscan* dictionary, which imposes upon us foreigners by its bulk and pretensions, but is, we believe, lightly esteemed by Italian scholars. In the same spirit he betook himself to the reproduction of the style of the *Trecentisti*, whom he considered to approach most nearly to the style of the Greeks, and best to develop the close affinity which he conceived to exist between the languages, and which, indeed, is obvious in some points of Italian that are not represented in Latin, such as the highly diversified forms of diminution and augmentation, the employment of the article, the virtual possession of a middle voice, and the use of the verb infinitive with the functions of a noun substantive, though he must himself, when translating the *Odyssey*, have felt the want of a flexible quality in Italian to enable it faithfully to represent the Greek compound adjectives.

Under the name of a *trecentista* translation || from an ancient MS. he published a fictitious account of the martyrdom of certain monks; and the imposition was successful even with the best judges of the style of that period. Not let it be understood that he inherited it from his father. On the contrary, he had been bred in the prevalent Gallicising taste. At the outset, he says,

* Opere, V. (Epistolario I.), 71; Ep. 31 and 254; Ep. 156.

† Ibid., p. 15.

‡ Ibid., p. 47.

§ Op. III., p. 215.

|| Op. II., p. 185.

in April, 1817—being then only 18 years old—he had his head full of the new notions, and despised and trampled upon the study of Italian; his own original papers were like mere translations from the French: he wallowed in the reading which since he had learned to detest.* Thus by the native and matured force of his own taste and judgment, and without a guide, he had revolted against the bad rules of his early training, and framed a sound and true system for himself at an age when in ordinary minds, even with the aid of the best instructors, taste and judgment in letters are but beginning to dawn.

As we have seen, his first efforts were applied to philology; and it was not till he was seventeen and a half †—rather an advanced period in his early-ripened mental life—that he gave himself to literature in its ordinary sense. It was probably not so much choice as necessity that threw him upon the former line of study. Not that he had great advantages for it, but the reverse. The merits of his father's library have apparently been exaggerated by Ranieri; ‡ it did not, for example, contain a Xenophon.§ Still it was a library, and it had no modern books; and being thus thrown upon the dead languages, and having for the most part to learn them by means of reading their authors, his acquisitive mind was naturally drawn to their speech and its laws.

We are inclined to trace to this circumstance the accuracy and beauty of his own diction and his admirable style. He had handled early and familiarly those among all the instruments for the expansion of thought, which are the most rigorously adapted to its laws, and had also deeply considered the mode and form of the adaptation. Yet it is certainly wonderful that he should have issued from these studies not only a refined scholar and philologist, but a powerful and lofty poet; as well as that he should have carried to maturity in the most fervid and impatient period of life pursuits which are commonly considered rather dry. But it is a cardinal truth, that no study whatever can be dry to such a mind when earnestly embracing it.

We should gladly have noticed his other labours in Italian,|| particularly his commentary upon Petrarch, to the merits of which very competent testimony might be quoted; but the expenditure of space warns us to pass on. We do it the more readily because even to do this would not be to do all, for besides the great things that he accomplished, he had cast in the mould of Thought the plans of more and greater.¶

* Op. V., p. 23, p. 174.

† Ibid., p. 34.

‡ Op. I., p. x.

§ Op. V., pp. 58, 65.

|| There are also opinions we should have been disposed to canvass—for instance, his low estimate of some of the lyric poets of his country; and his comparative judgment on Homer and Hesiod. (Op. III., p. 150.)

¶ Op. VI., p. 126. To Colletta.

When we regard Leopardi in his character of a poet—in which no Italian of the present generation, we conceive, except Manzoni even approaches him, and he in a different order, and perhaps but in a single piece—it is not difficult to perceive that he was endowed in a peculiar degree with most of the faculties which belong to the highest excellence. We shall note two exceptions. The first is the solid and consistent wisdom which can have no other foundation in the heart of man than the Gospel revelation: without which, even while we feel the poet to be an enchanter, we cannot accept and trust him as a guide: and of which Wordsworth is an example unequalled probably in our age, and unsurpassed in any age preceding ours. Nor let it be said that this is not properly a poetical defect; because the highest functions of the human being stand in such intimate relations to one another, that the want of any one of them will commonly prevent the attainment of perfection in any other. The sense of beauty enters into the highest philosophy, as in Plato. The highest poet must be a philosopher, accomplished, like Dante, or intuitive, like Shakspeare. But neither the one nor the other can now exist in separation from that conception of the relations between God and man, that new standard and pattern of humanity, which Christianity has supplied. And although much of what it has indelibly impressed upon the imagination and understanding, the heart and life, of man, may be traceable and even prominent in those who individually disown it, although the splendour of these disappropriated gifts may, in particular cases, be among the very greatest of the signs and wonders appointed for the trial of faith, there is always something in them to show that they have with them no source of positive and permanent vitality: that the branch has been torn from the tree, and that its life is on the ebb. There is another point in which Leopardi fails as compared with the highest poets. He is stronger in the reflective than in the perceptive, or at any rate than in the more strictly creative powers. Perhaps these latter were repressed in their growth by the severe realities of his life. It is by them that the poet projects his work from himself, stands as it were completely detached from it, and becomes in his own personality invisible. Thus did Homer and Shakspeare perhaps beyond all other men: thus did Goethe: thus did Dante when he pleased, although his individuality is the local centre, to so speak, of his whole poem;* which is only to say in other words that by this gift the poet throws his entire strength into his work and identifies himself with it; that he not only does, but for the time being is, his work; and that then, when the work is done,

* It would be unjust not to name Mr. Tennyson as a remarkable example of this gift among our living poets.

he passes away and leaves it: it is perfect in its own kind, and bears no stamp or trace of him, that is of what in him pertains to the individual as such, and does not belong to the general laws of truth and beauty. Thus all high pictorial poetry is composed: thus every great character in the drama or romance is conceived and executed.

It is the gift of imagination in its highest form and intensity which effects these wonderful transmutations, and places the poet of the first order in a rank nearer to that of creative energies than anything else we know. Next, perhaps, to him comes the great intuitive discoverer. These are the privileged children of Nature, who walk a royal road, and constitute the signal exceptions to that broad and general law of human knowledge: '*Homo, naturæ minister et interpres, tantum facit et intelligit, quantum de naturæ ordine re vel mente observaverit: nec amplius scit, aut potest.*' (Bacon, *Nov. Org.*, Aph. I.)

Leopardi, though he had abundance both of fancy and of imagination, either was not possessed of this peculiar form of the latter gift or had not developed it: his impersonations are beautiful, but rather after the manner of statues: they have just so much of life as is sufficient to put his metaphysical conceptions in motion; but we always seem to discover his hand propping them up and moving them on: they have not the flesh and blood reality: he is eminently a subjective poet, and the reader never loses him from view. But he is surely a very great subjective poet, and applies all the resources of thought and passion, all that his introspective habits had taught him, to his work, with a power rarely equalled: he has choice and flowing diction, a profound harmony, intense pathos, and he unites to very peculiar grace a masculine energy and even majesty of expression, which is not surpassed, so far as we know, in the whole range of poetry or of eloquence, and which indeed gives the highest evidence of its prerogative by endowing sentiments, now become trite and almost vulgar through use, with perfect freshness of aspect and the power to produce lively and strong impressions: of this some examples may be noticed in the extracts we are about to make. His gift of compression, in particular, is one which seems, not borrowed, for such things no man can borrow—they are marked 'not transferable'—but descended or inherited from Dante himself.

Although it has appeared that his first poetical efforts were relatively late, yet they were as early as those of most poets who have acquired particular celebrity for juvenile productions, and they will bear, we imagine, favourable comparison with those of Pope or of Milton. Indeed, as their beginning and maturity were almost simultaneous, he is really no less remarkable as a youthful poet than

than as a youthful scholar and critic, and holds one of the very first places in the troop of beardless Apollos. Nothing to our minds can be more beautiful than his first effort; the piece entitled *Il Primo Amore*, in that purely, and perhaps inalienably, Italian measure the *terza rima*. It is so even a tissue of harmonious thought and language, that we have laboured in vain to discover how to do it justice by an extract: but rather than pass it by altogether, we will quote the passage which begins by describing the superior and subtler force that drew him away from his first love, his studies:—

‘ Nè gli occhi ai noti studi io rivolgea,
E quelli m’ apparian vani, per cui
Vano ogni altro desir creduto avea.
Deh come mai da me sì vario fui
E tanto amor mi tolse un altro amore?
Deh quanto in verità vani siam nui !

* * * *

E l’ occhio a terra chino o in se raccolto
Di riscontrarsi fuggitivo e vago
Nè in leggiadro soffria nè in turpe volto :
Che la illibata, la candida imago
Turbare egli temea pinta nel seno,
Come all’ aure si turba onda di lago.
E quel di non aver goduto appieno
Pentimento, che l’ anima ci grava,
E’ l piacer che passò cangia in veleno,
Per li fuggiti dì mi stimolava
Tuttora il sen : che la vergogna e il duro
Suo morso in questo cor già non oprava.
Al cielo, a voi, gentili anime, io giuro
Che voglia non mi entrò bassa nel petto,
Ch’ arsi di foco intaminato e puro.
Vive quel foco ancor, vive l’ affetto,
Spira nel pensier mio la bella imago
Da cui, se non celeste, altro diletto
Giammai non ebbi, e sol di lei m’ appago.’*

In the next year he thus apostrophises Italy: with respect to which we must observe that he was, like most Italians of any mark, comprehensive and impartial in his repugnance to the yoke of strangers, and that he appears still more to have revolted from a French than from a German domination. We conceive that this Canzone, with the one which follows it, must at once have placed him in the first rank among the lyric poets of his country:—†

* Canti, No. X., Op. I., p. 39.

† See Giordani’s Letter VI., 339, dated 5th February, 1819.

' O patria mia, vedo le mura e gli archi
 E le colonne e i simulacri e l' erme
 Torri degli avi nostri;
 Ma la gloria non vedo,
 Non vedo il lauro, e il ferro, ond' eran carchi
 I nostri padri antichi. Or fatta inerme
 Nuda la fronte e nudo il petto mostri.
 Oimè quante ferite,
 Che lividor, che sangue! Oh qual ti veggio,
 Formosissima donna! Io chiedo al cielo
 E al mondo: dite, dite,
 Chi la ridusse a tale? E questo è peggio
 Che di catene ha carche ambe la braccia:
 Sì, che sparte le chiome e senza velo
 Siede in terra negletta e sconsolata
 Nascondendo la faccia
 Tra le ginocchia, e piange.
 Piangi! che ben hai donde, Italia mia,
 Le genti a vincer nata
 E nella fausta sorte, e nella ria.

Se fosser gli occhi tuoi due fonti vive,
 Mai non potrebbe il pianto
 Adeguarsi al tuo danno ed all' scorno,
 Che fosti donna, or sei povera ancella.

* * * *

O numi, O numi!
 Pugnan per altra terra itali acciari!
 Oh misero colui, che in guerra è spento
 Non per li patrii lidi, e per la pia
 Consorte e i figli cari,
 Ma da nemici altrui,
 Per altra gente, e non può dir morendo:
 Alma terra natia
 La vita che mi desti ecco ti rendo.*

We cannot but think that in the strong indignation which prompted the following verses in the same year, from the piece 'On the Monument of Dante to be erected in Florence,'† the master of all Italian poetry,

' per lo cui verso
 Il Meonio cantor non è più solo,'

as he goes on to say, would have recognized a genius entitled to claim some kindred with his own:—

' O Italia, a cor ti stia
 Far ai passati onor: che d' altrettali
 Oggi vedove son le tue contrade,
 Nè v' è, chi d' onorar ti si convegna.

* Canz. I., Op. I., p. 5.

† Canz. II., Op. I., p. 9.

Volgiti indietro, e guarda, O patria mia,
Quella schiera infinita d' immortali
E piangi, e di te stessa ti disdegna :
Che senza sdegno omai la doglia è stolta :
Volgiti, e ti vergogna, e ti riseuoti,
E ti punga una volta
Pensier degl' avi nostri e de' nepoti.'

And again in this majestic burst:—

' O dell' etrusco metro inclito padre,
Se di cosa terrena,
Se di costei, che tanto alto locasti,
Qualehe novella ai vostri lidi arriva,
Io so ben che per te gioia non senti :
Che saldi men che cera e men eh' arena
Verso la fama che di te lasciasti
Son bronzi e marmi : e dalle nostre menti
Se mai cadesti ancor, s' unqua cadrai,
Cresca, se creseer può, nostra sciaura,
E in sempiterni guai
Pianga tua stirpe, a tutto il mondo oseura.
Ma non per te !'

In the *Bruto Minore*,* published in 1824, he gave more visibly to the world his unhappy opinions, still, however, veiling himself by putting them into the mouth of the Roman hero. The following passage may, however, serve as a specimen of its high poetical merits:—

' E tu dal mar, cui nostro sangue irriga,
Candida Luna, sorgi,
E l' inquieta notte e la funesta
All' ausonio valor campagna esplori.
Cognati petti il vincitor calpesta,
Fremono i poggi, dalle somme vette
Roma antica ruina :
Tu sì placida sei ? Tu la nascente
Lavinia prole, e gli anni
Lieti vedesti, e i memorandi allori ;
E tu su l' alpe l' immutato raggio
Tacita verserai quando, ne' danni
Del servo italo nome,
Sotto barbaro piede
Rintronerà quella solinga sede.'

In *Consalvo*, a dying youth—recalling, we need hardly add, the poet—abandoned by all but the object of his love, entreats of her the parting gift of an only kiss. The description which follows is surely a noble specimen of the power of the Italian language in blank verse:—

* Canz. VI., Op. I., p. 25.

'Stette sospesa e pensierosa in atto
 La bellissimà donna : e fiso il guardo,
 Di mille vezzi sfavillante, in quello
 Tenea dell' infelice, ove l' estrema
 Lacrima rilucea. Nè dielle il core
 Di sprezzar la dimanda, e il mesto addio
 Rinacerbir col niego : anzi la vinse
 Misericordia dei ben noti ardori.
 E quel volto celeste, e quella bocca,
 Già tanto desiata, e per molt' anni
 Argomento di sogno e di sospiro,
 Dolcemente appressando al volto afflitto
 E scolorato dal mortale affanno,
 Più baci e più, tutta benigna e in vista
 D' alta pietà, sulle convulse labbra
 Del trepido, rapito amante impresse.*

The Ode on the Likeness of a beautiful woman sculptured upon her monument is exquisitely beautiful :—

'Tal fosti ; or qui sotterra
 Polve e scheletro sei. Su l' ossa e il fango
 Immobilmente collocato invano
 Muto, mirando dell' etadi il volo
 Sta, di memoria solo
 E di dolor custode, il simulacro
 Della scorsa beltà. Quel dolce sguardo,
 Che tremar fè, se, come or sembra, immoto
 In altrui s' affissò : quel labbro, ond' alto
 Par, come d' urna piena,
 Traboccare il piacer : quel collo, cinto
 Già di desio : quell' amorosa mano
 Che spesso, ove fu porta,
 Sentì gelida far la man che strinse :
 E il seno, onde la gente
 Visibilmente di pallor si tinse,
 Furo alcun tempo : or fango
 Ed ossa sei : la vista
 Vituperosa e trista un sasso asconde.

Così riduce il fato
 Qual sembianza fra noi parve più viva
 Immagine del ciel. Misterio eterno
 Dell' esser nostro. Oggi d' eccelsi, immensi
 Pensieri e sensi inenarrabil fonte,
 Beltà grandeggia, e pare
 Quale splendor vibrato
 Da natura immortal su queste arene,
 Di sovrumani fati,
 Di fortunati regni e d' aurei mondi

Segno e sicura spene
 Dare al mortale stato :
 Diman, per lieve forza,
 Sozzo a vedere, abominoso, abbietto
 Divien quel che fu dianzi
 Quasi angelico aspetto :
 E dalle menti insieme
 Quel che da lui moveva
 Ammirabil concetto si dilegua.*

From the serious poems we have quoted largely, yet insufficiently. We might, if space permitted, advert to *La Ginestra*, the Fragment xxxix, and others among them. from which we have made no extracts : but we pass on from them with the observation that the reader, opening them at hazard, will find no page of them without abundant beauties, though in some places they are scarred and blighted by emanations from the pit of his shoreless and bottomless despair. And this brings us to the threshold of the last and very painful portion of our task, some reference, namely, to the philosophical speculations of Giacomo Leopardi.

Before entering, however, we must advert shortly to his principal production in satirical poetry. He wrote very early and then re-wrote a poem, rather imitated than translated from the Homeric *Batrachomyomachia* ; and he followed this up with an original sequel that he brought to its abrupt ending immediately before his death. It is written in the *ottava rima*, and extends to eight cantos. Perhaps the idea of it may also have been in part suggested by the Satirical Poem of Casti, *Il Poema Tartaro*, in which he attacks the Russians. It shows a facility in using the language for its end quite equal we think to that of Byron in *Don Juan* ; and some parts of the political satire for fineness and keenness might rank with that of Swift. He takes up the tale at the point where the mice, whose victory over the frogs had been converted into defeat and rout by the arrival of the crabs, rally and re-organise themselves, and he continues it in eight cantos, under the name of *Paralipomeni della Batrachomyomachia*,† through their subsequent negotiations and war with their later and more formidable enemy. Nothing can be more successful than the passage in which the general of the crabs, in answer to the demand of the envoy of the mice, who wishes to know what right they had to interfere, states that they did it to preserve the balance of power, and goes on to explain the theory of political equilibrium. Again, the mice, having lost their monarch, proceed to elect a constitutional sovereign, and declare him not King of Mouse-land, but only King of the Mice.‡

* Canton XXXI., Op. I., p. 106.

† Poesie, p. 177.

‡ Ibid., p. 235.

‘Ma il novello signor, giurato eh’ ebbe
 Servar esso e gli eredi eterno il patto,
 Incoronato fu, come si debbe:
 E ’l manto si vestì di pel di gatto
 E lo scettro impugnò che d’ auro crebbe,
 Nella cui punta il mondo era ritratto,
 Perchè credeva allor del mondo intero
 La specie soricina aver l’ impero.

Dato alla plebe fu cacio con polta,
 E vin vecchio gittâr molte fontane,
 Gridando ella per tutto allegra e folta:
 Viva la carta e viva Rodipane:
 Tal ch’ echeggiando quell’ alpestre vòlta
 Carta per tutto ripeteva e pane—
 Cose al governo delle culte genti
 Chi le sa ministrar, sufficienti.

Re de’ topi costui con nuovo nome,
 O suo trovato fosse o de’ soggetti,
 S’ intitolò, non di Topaia, come
 Propriamente in addietro s’eran detti
 I portatori di quell’ auree some:
 Cosa molto a notar, che negli effetti
 Differisce d’ assai, benchè non paia,
 S’ alcun sia re de’ Topi o di Topaia.’

It is well worth while to notice in the case of so great a poet his ordinary mode of composition, which he has described with reference to his Odes. He says that in designing and shaping his compositions he always followed on the instant a sudden suggestion of the mind; that it was then his practice to wait for another access of fervour, commonly a month or more afterwards: he would then set himself to compose, but so slowly, that he commonly occupied two or three weeks in finishing even the shortest piece.*

Even at a very early period of his life, he seems to have had a spontaneous or ready-made philosophy for every subject. For example, in a letter to Giordani of May, 1817, he controverts a doctrine of the latter with respect to art. Giordani had admonished young painters never without an overruling necessity to represent what was ugly, and then with tact and reserve: inasmuch as the proper business of art was with beautiful and winning, not with distasteful, objects. No, says Leopardi, their office is to imitate nature *nel verisimile*. And he argues thus. The same general maxims, he conceives, that govern poetry must also hold good for painting. But in poetry, if Giordani were right, it must follow that Homer and Virgil had erred times with-

* Op. V., p. 316.

out number; Dante, above all, who had so often represented *il brutto*. Storms, deaths, other calamities are distasteful; but the poets are full of them. Again, tragedy must be radically, and of its own nature, bad. But in the tears, agitation, shuddering, caused by the perusal of poetry, there is real and keen delight, which springs from the vivid imitation and representation of nature, as it brings before us and fills with life what is distant or dead, or purely imaginary. Hence, while the beautiful in actual nature only gives a limited, that of art, having a power not bounded by fact and experience, gives an unlimited delight; and even what is ugly acquires the power to please, provided it be represented according to the *verisimile* or probable in art; for if there should happen to live a man of deformity beyond belief, he would not be a fit subject for painting.*

There can be little doubt that Leopardi misled himself in this case by his analogy drawn from poetry to painting. He was here unconsciously upon the ground trodden so carefully, and, we presume, trodden once for all, by Lessing in his *Laocoon*. That great and poetical critic shows us how and why the master who produced the unrivalled group and Virgil are alike right, though the former has given to the principal figure a mouth not crying aloud (as Winkelmann had said *erhebt kein schreckliches Geschrei*), while in Virgil (*Æn.* ii. 222)—

Clamores simul horrendos ad sidera tollit;

the ground being that each follows with equal sagacity the law of the beautiful in his own art, which admits in poetry, for the mind, many things that it excludes in painting, for the eye. So that their material difference is the proof of their formal agreement. But although Leopardi fell here into error, it was a very common and natural error: there have been, until very lately, even if there are not now, eminent artists who would have supported him, and at the very worst his being on the losing side in such case can scarcely cause any deduction from our admiration of the passage we have rudely summed up, in which he shows he had a clear, consistent, and philosophical view of art, while he was yet a boy, had never wandered from the little town of Recanati, and probably had never seen a picture which could do any thing but misinform and mislead him. But, indeed, he showed at this early period, in all the subjects which he handled, his inborn capacity for philosophy, and it is no exaggeration to say, that even his extended learning is not more remarkable than his general acuteness, depth, and continuity of thought.

It may seem strange that if this description be true, his most strictly philosophical writings should present in the results at which

* Vol. v., pp. 39, 40.

he arrives so deplorable a picture. The principal of these are his *Operette Morali*, a series of dialogues, first published as a whole at Milan in 1827, though a portion of them had been previously printed; and his *Pensieri Morali*, not published till after his death, that is to say, at Florence in 1845. Of the former he gives us plainly to understand that they were his favourite work;* and in publishing the latter his friend Ranieri has only fulfilled the scheme they jointly arranged before his death. But the opinions which he here brings out in stricter form are but too traceable in some of his poetry, and from the burden of no small number of his letters, especially, we must add, of those in which he writes with entire sincerity and freedom. It is plain that prudential motives often restrained him; as when he writes to Madame Tommassini with reference to one of his published papers, that he looks upon the Greeks as brothers, that he has said as much for them as he could, and enough, he thinks, considering that he was unable to give a free utterance to his opinions.† The censorship, however, if it had power to annoy him, did not avail for any other purpose; and we think all those who peruse his *Operette* will join with us in putting the question, if the publication of works such as these is to be permitted, for what imaginable end is such a tribunal to be maintained?

To speak plainly, then, of his abstract philosophy of life and action, paganism is Gospel light and the Great Desert a *pays riant* in comparison with it. The falseness, misery, and hopelessness of life are the burden of his strain in the familiar letters of his early youth under his father's roof, as often as they become subjective. And as soon as the year 1819 he wrote to Giordani that he had not spirit remaining to conceive a wish, not even for death: he had indeed no fear of it in any respect, but it seemed so little different from life, from life in which now not even pain came to sustain him, but an intense weariness both exhausted him and tormented him as if it had been the extreme of pain, and drove him beside himself in his incapacity to feel that even his despair was a reality. In his happier moods he had just strength enough to weep over the miseries of man and the nullity of all things.‡ This looks like mere rhapsody, and in ordinary cases one would say, it is a love-sick or brain-sick boy, and the very violence of the fit is the best assurance that it cannot last. But with him it was a settled and habitual tone of thought; and only on rare occasions throughout the whole course of his letters or his works will the reader find even a transient expression that is not in unison with it. In common life we are sometimes astonished and appalled at the power of the human frame to endure protracted

* Op. V., pp. 416, 422, 425, 434, 474.

† Op. VI., p. 10.

‡ Op. V., p. 158, and V., p. 160.

nervous agony, and the records of this extraordinary man constantly suggest a similar feeling with respect to the capacity of the mind both to suffer, and to heighten and inflame the causes of its torture. Doubtless, as regarded his practical life, there are deductions to be made from the extreme breadth of these statements. Even while he told Giordani that he could not *conceive a wish*, and even had ceased to understand the meaning of friendship and of affection, he also begged for letters, and said he would always love him. But what we have said is too strictly true of his speculative man, and although his speculations are in reality illogical and incoherent, and cannot be said to form a system further than as universal destruction is a system in a negative sense, yet speculation was in his case the master-key of life.

The child.* he says, is happy, but happy only because he is blind. True life ends where manhood begins; none lives longer, except those who continue to be children after they are grown up. Study has value because it is the most secure source of forgetfulness, and a more durable illusion than most others. The only exertions conformable to truth and reason are those founded upon the recognition *che tutto è nulla*, and, as we here arrive at the *apex* of all paradox in the shape of a contradiction in terms, it seems not easy to carry this part of the description further in detail. Pain, again, is cruel to us: but tedium, weariness, and disgust are even worse. Sometimes he tells us there is nothing real except pain. Sometimes that not even pain is real. Truth and reason are our implacable foes; they do nothing but reveal misery and hopelessness. Nature it is true resists, but then nature lies. As to a future state, it was a most mischievous invention; because before men thought of it, they might, at any rate, have an undisturbed hope of escape by death.

If in his letters this be declamation, it is earnest and deliberate enough in his philosophical writings. It is impossible to escape from the natural conclusions by pleading the form of Dialogue: first, because the reasons of its adoption are patent; next, because in the *Pensieri*, to quote no other case, he passes out of that form and speaks in the first person. There are places, indeed, where he seems as if he had been trying earnestly, though hopelessly, to keep a slippery hold upon some fragment of belief; but the end is, always and obviously, conscious failure. It is needless to quote; the dark and hopeless doctrine blackens nearly every page, and the marks of high and noble gifts with which it is mixed serve to make the gloom more palpable and thick. Those who desire, without the pain of traversing so dreary a course at length, to see his miserable no-creed summed up will find it in the verses

* V., p. 160, 163, 164, 167. But it is needless to cite particular passages in proof.

(a poem

(a poem they can hardly be called) *A Se Stesso*,* anticipating death.

Yet even in his philosophy he shows to advantage as compared with his friend Giordani, who is a mere railer at the world, and contends that life is detestable and insupportable to the good, and that its advantages are only for the wicked.† Leopardi's reply is remarkable. It is not so, he says: for the best advantage of this world consists in its nobler illusions of glory, love, virtue, and the like, and such illusions as these never come to the bad. There are traces, indeed, here and there of that materialistic‡ tendency which appears to characterise particularly the Italian mind when it has been in aberration: but they are partial and rare.

It may be thought that if such be the real character of Leopardi's philosophy, we should have done better to pass it by than to expose it to the reader's eye. But in the first place there can be no more futile, no more mischievous conception, than that faith is to be kept entire by hiding from view the melancholy phenomena of unbelief. And, secondly, the kind of unbelief, which is really unworthy of any notice except simple denunciation, is that which attacks us through the sense of ridicule, or insinuates itself by bribing the passions. It is not so with Leopardi. His philosophy, and his frame of mind in connexion with it, present more than any other that we know, more even than those of Shelley, the character of unrelieved, unredeemed desolation. The very qualities in it which attract pitying sympathy deprive it of all seductive power. Antecedently to confutation by reasoning, it carries with it its own antidote. It was not a voluptuous, a scoffing, a frivolous, a wanton infidelity, but one mournful and self-torturing; one that, in hiding from view any consolatory truth, consumed all enjoyment, peace, and hope in the mind that harboured it. Unbelief was to him the cannon-ball:

‘Shattering that it may reach, and shattering what it reaches.’§

Religion took its flight from him like the fabled deities from Troy, when Destruction had begun, and in order that Destruction might proceed. There was left to Leopardi this melancholy distinction, that he has brought more nearly than any other person to uniformity, if not to consistency, the philosophy of nullity, misery, and despair.

In his poetry, indeed, he challenged death aloud:—

‘Me certo troverai, qual si sia l' ora
Che tu le penne al mio pregar dispieghi,
Ertà la fronte, armato

* Op. I., p. 97.

† Op. VI., p. 366.

‡ Vol. II., p. 88. Il corpo è l' uomo.

§ Coleridge's Wallenstein.

E renitente al fato
 La man che flagellando si colora
 Nel mio sangue innocente
 Non ricolmar di lode, .
 Non benedir, com' usa
 Per antea viltà l' umana gente,
 Ogni vana speranza onde consola
 Se coi fanciulli il mondo
 Gittar da me: null' altro in alcun tempo
 Sperar, se non te sola:
 Solo aspettar sereno
 Quel dì, ch' io pieghi addormentato il capo
 Nel tuo virgineo seno.*

But he was not commonly a Capaneus bidding defiance to the thunders of heaven, nor a Prometheus who drew moral strength from the great deeds that he felt he had done for man, but he resembled rather the Hercules of the Trachiniae, or Philoctetes in Lemnos, when under the agony of his wound he

‘made the welkin ring again,

And fetched shrill echoes from the hollow earth;’

or like Œdipus when he recoiled from the discovery of the terrible enigma, bowed his head to the strength of Destiny, and was driven by its tempest, homeless and hopeless, through the earth.

As, therefore, no case has ever existed in which the claim to pity and sympathy was stronger, so never was there one in which it could more safely be indulged. His scepticism, at least, did not stoop to baseness, did not drive its bargain with the passions: nor had he the presumption of those who, having hidden from their view the sun of the Gospel and created a darkness for themselves, light some farthing candle of their own in its stead. The place from which he had driven the ‘sacred mother of humanity,’ the Catholic faith, he would not attempt to occupy with any inferior scheme. In the vacant shrine he set up no idol. For common speculative liberalism, and for the opinions of the day, he had a contempt as energetic even as his revulsion from theology, and as deeply imprinted on his whole mental constitution.†

It is indeed true that scarcely any notice of Christian doctrine is to be found in his works. In one place, referring to the Bruto Minore and his prose comment upon it, of which the theme is the nullity of virtue, he says he has inserted the qualifications *umanamente parlando* and *non parlo delle virtù teologali*.‡ But

* Amore e Morte, Canz. XXVII., Op. I., p. 93.

† See, for example, the ‘Palinodia al Marchese Gino Capponi,’ Op. I., p. 106

‡ Op. III., p. 101.

this is a thin and shadowy pretext. Probably his mind was averse both from polemical writing and from the whole subject matter of Christian theology: direct attacks, too, upon the Church would have brought him to open war with his father, and probably could not have passed through the press. But his doctrines as they stand cut off the stream even nearer to the fountain-head. His quarrel seems less with the Church (he tells us he observed *novenas* and *triduos* to obtain the grace of a speedy death *) than with Christianity; and not so much with Christianity as with the whole ground not only of revelation, but of natural religion in its first and simplest elements. Wonderful as it may seem, his writings in their general effect go as near as human language well can go to evincing a total disbelief in God, the soul, and immortality. And yet there is a passage, even in his speculative essays, which bears a touching, would to God it were an intentional, resemblance to the great primordial idea of Christianity. It is the *Storia del genere umano*, and is as beautiful in language as in thought.† For a great part of the history of man, he relates, human life was consoled by his favourite characters, certain *Larve*, or Phantasms, under the names of Justice, Patriotism, Glory, Hope, Virtue, and so on, including Sensual Love. But men were not satisfied with these, and prayed for Truth. Truth drove the Phantasms away except one, the last and least of them, from whom some inferior and feeble solace continued to be derived. Terrible was the advent and the reign of Truth: even those who had loudly invoked now as loudly blasphemed it; but they could not escape; they were wretched, and their wretchedness was to last for ever. We will give the rest as it stands:—‡

‘Ora Giove, compassionando alla nostra somma infelicità, propose agli immortali se alcuno di loro fosse per indurre l’ animo a visitare, come avevano usato in antico, e racconsolare in tanto travaglio questa loro progenie, e particolarmente quelli che dimostravano essere, quanto a se, indegni della sciagura universale. Al che, tacendo tutti gli altri, Amore, figliuolo di Venere Celeste, conforme di nome al fantasma così chiamato, di virtù e di opere diversissimo, si offerse (come è singolare fra tutti i numi la sua pietà) di fare esso l’ ufficio proposto da Giove, e scendere dal cielo: donde egli mai per l’ avanti non si era tolto, non sofferendo il concilio degli immortali, per averlo indicibilmente caro, che egli si partisse, anco per piccolo tempo, dal loro commercio. . . .

‘Dopo il qual tempo, non suole anco scendere se non di rado, e poco si ferma: così per la generale indignità della gente umana, come che gli Dei sopportano molestissimamente la sua lontananza. Quando viene in sulla terra, sceglie i cuori più teneri e più gentili delle persone più generose e magnanime: e quivi siede per breve spazio:

* Op. VI., p. 195.

† Op., vol. I., p. 143.

‡ P. 161.
diffondendovi

diffondendovi sì pellegrina e mirabile soavità, ed empiendoli di affetti sì nobili, e di tanta virtù e forza, che egli allora provano, cosa altutto nuova nel genere umano, piuttosto verità che rassomiglianza di beatitudine.'

What reality corresponding to this picture may have existed in his mind, lying deeper and more inward than his consciousness, it is not ours to inquire. Let it not be thought we have done injustice by citing a pagan allegory. The pagan parts of these compositions are the most cheering. When the reader passes from his *Dialogues* and *Thoughts* into the translations from Epictetus and Socrates, he will at once feel that he breathes in a fresher and purer atmosphere. There is one material passage* only in all the works of his manhood—so guardedly did he shape his course—where he refers to our Saviour, and that is to notice a point of partial contact with his doctrine: for Christ, he says, was the first that distinctly denounced that scoffing hypocrite and servile tyrant, the *world*, and gave currency to the term in this signification: adding that the idea had not occurred to any one before, perhaps because meanness and fraud had not until that age attained their perfect maturity.

We shall not dwell upon the sorrowful detail of his life. Virtual constraint kept him at Recanati till twenty-four; necessity, after he had left it, drew him back, and kept him there more than once. When his spirit rose with some partial return of health and eyesight, he redoubled the labours to which he had to look for subsistence while living in Florence or Bologna, but which, in feeding the stream, destroyed the source. It was in 1828, as he states,† that his strength finally broke down; but it was not until 1832 that he at length sought a monthly allowance (of less than fifty shillings) from his family: and he obtained it.‡ His heart was set on Florence, but he feared its winters; and in the autumn of 1833 he went to Naples, and passed there, with his friend Ranieri, the short and sad and early evening of his days.

On the 14th of June, 1837, he died, and the event is related by his friend with a simplicity partaking of the character of nakedness, and leaving a painful sense upon the mind of a blank unfilled. 'Life was stifled at its very source,' he says, after describing the state of the heart, 'and he resigned his exalted spirit with a smile, in the arms of a friend who has never ceased to love and to lament him.'

In the ponderous preface to his ponderous book, *Il Gesuita Moderno*, Gioberti charges the order of Jesuits, *inter alia*, with systematic lying for the purposes of piety, and with understanding pious purposes to be only and all those which are pursued through

* Vol. ii. p. 168.

† VI., p. 195.

‡ Ibid., p. 194.

the medium of the Society. He has stated his case with great force both of information and argument, and his book might be compared to the heavy artillery advancing in the rear of the inimitable Provincial Letters, had not these last the singular property of being at once the weightiest and the smartest of all controversial writings. Our present intention, however, is simply to extract from the pages of Gioberti an instance of audacity so far beyond all common efforts in that kind, that it should be held up conspicuously to public notice. It is to be found in a letter written by a certain Father Scarpa of that order, and it refers to Leopardi. It bears date May 28, 1846, and was published in a journal entitled *Scienza e Fede*, though to which of these categories pure fiction belongs it would not be easy to determine. Except in the case of a very early work, we have not presumed to translate Leopardi's exquisitely classical Italian: we shall, however, take that liberty with Scarpa.

‘The last sentiments of Giacomo Leopardi touching religion :—

‘Since our distinguished countryman, the Padre Carlo Curci of the order of Jesuits, related in his *Facts and Arguments*, in reply to Gioberti, that the author of the *Filippo Ottonieri* (one of Leopardi's *Operette*) had attained in his last days to a better knowledge of the end for which men are born into the world, and thus had changed from his former self, there have not been wanting men venturesome enough to deny this honour to our illustrious countryman, as it appeared to them to be a stain upon his memory. So strangely now-a-days are praise and abuse confounded! Hence this paper will serve both to restate the narrative of Curci, and to clear the reputation of Leopardi from the taint with which the opinions he formerly held had soiled it.’

The letter then runs as follows :—

‘Most Reverend Father in Christ,—In reply to your most esteemed communication I have to say, that among the great consolations I have experienced during my apostolic ministry was numbered that of witnessing the repentance, and reconciliation to the Church, of that great genius, Giacomo Leopardi. And would that it had pleased God to grant him a longer life, inasmuch as we should actually have had him in our society, as he intended and had confided to me. But God was pleased instead to call him to Himself shortly after his conversion.

‘The circumstances were these. In the year 1836, while I was hearing confessions at the Gesù in Naples, I observed that this youth on several mornings placed himself opposite my confessional, looked fixedly at me for a time, as if he had wished to attract my eye, and then went away. One morning that he saw me disengaged from penitents, he approached me, and with a soft smile and refined deportment he addressed to me this sentence :—“ Father, I should greatly desire to confess to you, because you have ravished me by the charming
manner

manner in which you receive your penitents;* but before coming to the act of confession I wish to have a long discourse with you apart." I led him into the parlour beside the sacristy, and here he opened to me explicitly all his heart and life; and thus much I am at liberty to say, partly because it will contribute to general edification, partly because it does not touch the matter of the confession. "I had," he said, "an excellent education in an Italian boarding school from my tenderest years, when I completed at fifteen my course of study in *belles lettres* and in philosophy. Having finished my education at this early age, I devoted myself to the study of the law, and consorting with companions liberal in matters of religion and in their general opinions, as well as by the constant perusal of impious books, chiefly those of the innovators and pretended philosophers of France, I became a perfect atheist: and so I have continued until now, although with occasional flashes of light upon my mind and strong impulses of my heart (to amendment). During this period, as I would not listen to the wise admonitions and corrections of my most pious father, I was put out of doors, and from that time I have wandered among various cities of Italy, and for between three and four years have been fixed in Naples. Here, having had the advantage of intercourse with a learned ecclesiastic" (he did not mention the name) "and having several times entered into discussion about religion, I began to get some light and to return to myself. Afterwards, not being able any longer to resist the impulses of grace, I determined to betake myself to some Father of the Company of Jesus to be further enlightened, although I had held that company in great abhorrence through the great number of books against it that I had read."

'Hereupon he held various conversations with me, and having calmed his mind through my feeble instrumentality, strengthened by grace and by some good books I gave him to read, he reconciled himself to God by the sacrament of penance. He formed with me a friendship so affectionate, that several times he disclosed to me that he would gladly pass the residue of his days with me, as he said, showing the desire to enter into the Company, if the Lord should restore his health wasted by incessant application. He continued, subsequently, to confess at intervals for four or five months; I, too, went to visit and confess him several times at the Hospital of Incurables in a room hired there. Then he went away to Castellamare to drink the mineral waters, evincing great dissatisfaction at parting from me: and in that place he died of cholera, nor was I able to go and see him, on account of having left Naples for Beneventum. My greatest regret when I afterwards heard of his death was not to be in possession of various papers that he designed to publish, as he had assured me, and that would have sufficiently made known his altered sentiments in respect

*. We ought to subjoin the original of the passage, because to our minds this exaggerated and affected language, so unlike Leopardi, bears of itself the strongest evidence against the accuracy, if not the veracity, of the narrator. It is—*Padre, avrei a cuore di confessarmi a lei, perche mi ha rapito colle sue belle maniere in accogliere i penitenti.* What a dancing-master's speech!

to religion. Leopardi was thirty years old when he died ; gifted with a soul full of sincerity, beauty, and greatness, of a good height, a most vivid eye, and a countenance amiable and refined, an enemy of vice, a friend of virtue, in matter of religion alone once astray, but afterwards thoroughly reclaimed. 21 May, 1846.—*Francesco Scarpa.**

The answer need not be so long. Gioberti quietly proceeds to say :—

‘The story put together in this letter is a tissue of lies and deliberate inventions, and a sheer romance from beginning to end.’

He then enumerates the falsehoods as follows :—

1. It is false that Leopardi was educated in a boarding school. He never was in one at all.

2. False that he took to the study of law. He never did. We may add, that of all great subjects, law is the one of which we find the faintest traces in the six volumes of his works. In 1817 he writes, ‘Dio mi scampi da Giustiniano e dal Digesto, che non potrei digerire in eterno.’†

3. False that he had companions from whom he drew his opinions. He studied in the solitude of his father’s house, at Recanati.

4. False that he was expelled from that house ; to which, on the contrary, he frequently repaired to please his parents. We must add here, that it appears from later testimony that, on the contrary, his father’s resolution was to shut him in, not to shut him out ; to keep him at home,‡ while he was struggling to be allowed to leave it, and even at one time arranging measures for an escape by stealth, and (apparently) to purloin money with that view.

5. False that he was in the hospital of Incurables.

6. False that he died in Castellamare ; it was at Naples.

7. False that he was thirty years old. He was nearly thirty-nine.

8. False that he died of cholera ; his disease was dropsy.

9. False that in his last days he wrote in contradiction to his former opinions ; since shortly before his death he arranged with his friend (and host or companion to the last) Ranieri, for the republication of his works, which took place accordingly.

10. False that he changed his opinions in his last days. He composed in his last sickness the *Paralipomeni*, where he exhibits them in all their nakedness,§ and dictated the conclusion of that poem two or three days before his death.

* Translated from the *Gesuita Moderno*, vol. i., *Discorso Preliminare*, p. cc.

† V., 57.

‡ Op. V., pp. 140, 141, 153 ; and VI., p. 355.

§ See, for example, *Canto VIII.*, the (last), *Stanzas X.* and *XV.*

11. False that his eyes were vivid (*vivacissimi*). They were soft and pensive, says Gioberti; languid,* says Ranieri.

We will make up the dozen by adding—

12. False that he was of good or ordinary height (*statura giusta*). We are assured by those who knew him well in his later years that he was of very small stature. Ranieri says it was *statura mediocre chinata ed esile*.† His friend Brighenti speaks of the great soul *sotto quelle apparenze meschine*.‡ And lastly, he calls himself, in his twentieth year, *sciatello e sottilissimo*, and again declares his personal appearance to be *dispregievollissima*.§ Indeed there appears to have been something of positive deformity in his figure.

Gioberti published in 1846. The *Epistolario*, published during the present year, contains a passage referring to Scarpa's letter || in similar terms, without any comment, from which we infer that the case of Gioberti stands unshaken. In truth, it would be absurd to suppose that the Company can shake it, because the chief part is grounded upon matters of fact known to the world; and the rest upon assertions sustained at every point, not only by the testimony of honourable men, but by the highest circumstantial evidence; so that the clumsiness of the imposture is even more astonishing than its wickedness. If this really be the case, as it seems, what are we to say of Scarpa? Except, indeed, what Manzoni has said of the informers during the plague of Milan: *diventando infami, rimanevano oscuri*.¶ Perhaps he is but one of the *Larve*: we trust it may be so; but some pen must have traced the mendacious characters.

It remains then, we fear, unquestionable, that he continued to the last in that utter and dismal abnegation of the Christian faith which had come upon him before the middle of his life with his other heavy and yet minor calamities. He alludes, indeed, to a future state in a letter to a friend, whom, he says, he scarcely hopes to meet except κατ' ἀσφόδελον λειμῶνα.** In his letters to his father he habitually uses language that is only consistent or even decent in the mouth of a Christian. But the counter evidence of his sincere, deliberate, and unbiassed declarations in every imaginable form, as well as the mode in which he speaks of religion when writing to Giordani and Brighenti, who had his confidence, is too clear to leave a shadow of doubt upon the melancholy truth of the case. Now, when we meet with an instance of this kind, in which the possession of God's choicest natural gifts of genius, knowledge, and feeling is combined with a blind-

* Op. I., p. xxvii.

† Ibid.

‡ III., 452.

§ Op. V., pp. 71, 86.

|| Op., vol. v. p. xi.

¶ In the '*Colonna Infama*.'

** Dec. 22, 1836. Op. III., p. 482.

ness to His crowning mercy, whether we can or cannot account for the melancholy conjunction, it is wicked to deny, it is weak to explain it away; it is weaker still to attempt to get rid of it by attenuating the truth of revelation, in order to force it into a kind of resemblance to some sentiment on which an exaggerated and inflated sense is put in order, as it were, to meet it half-way from the other side. This is to destroy what is really needful for us,—the integrity of the Gospel—in order to do what is not needful, and is commonly wrong, namely, to pass a judgment upon our fellow-creatures. Never let it be forgotten that there is scarcely a single moral action of a single man of which other men can have such a knowledge, in its ultimate grounds, its surrounding incidents, and the real determining causes of its merits, as to warrant their pronouncing a conclusive judgment upon it. When St. Peter, after the prophecy of his own martyrdom, asked our Lord, with a natural curiosity, what should happen to St. John, our Lord replied, ‘If I will that he tarry till I come, what is that to thee? Follow thou me.’ So let us not be inquisitive or solicitous to know the judgment to be pronounced upon our brethren, or to solve the enigmas of their destiny, but take heed to our own; and take particular heed that we do it no prejudice by proud or harsh feelings entertained towards them.

At the same time, it is right to observe that the conjunction, so paradoxical to us, between the moral and intellectual gifts of Leopardi and his blindness to the Christian faith, is in reality less startling than at first sight it may appear. We have seen the depth of his abiding sorrow; let us consider its causes, or such of them, at least, as meet the eye: poverty, domestic disquietude, extreme ill health, attended with nervous depression, and the total suspension for long intervals of the use both of the power of thought and of the gift of sight, the medium of his studies,—of those studies by which the fountain of his thoughts was fed. Genius, attended commonly with a highly acute and susceptible nervous organization, would, in all probability, render him not more, but far less, able to maintain the perfect equilibrium of his mind, than one who had less weight to carry in his ever-labouring brain, a fire less intense burning within him. Nor do we attach a diminished, but an enhanced, importance to these considerations, from the circumstance that he has himself eagerly protested against the supposition that his sufferings affected his speculations. He writes from Florence on the 24th of May, 1832, suddenly using the French language, as if that he might be heard throughout the great theatre of the world:—*

‘*Quels que soient mes malheurs, qu’on a jugé à propos d’étaler, et*

* *Opere*, vol. iii. p. 451; vol. vi. p. 190.

que peut être on a un peu exagérés dans ce journal, j'ai eu assez de courage pour ne pas chercher à en diminuer le poids ni par des frivoles espérances d'une prétendue félicité future et inconnue, ni par une lâche résignation. Mes sentiments envers la destinée ont été et sont toujours ceux que j'ai exprimés dans *Bruto Minore*. C'a été par suite de ce même courage, qu'étant amené par mes recherches à une philosophie désespérante, je n'ai pas hésité à l'embrasser toute entière : tandis que, de l'autre côté, ce n'a été que par effet de la lacheté des hommes, qui ont besoin d'être persuadés du mérite de l'existence, que l'on a voulu considérer mes opinions philosophiques comme le résultat de mes souffrances particulières, et que l'on s'obstine à attribuer à mes circonstances matérielles ce qu'on ne doit qu'à mon entendement. Avant de mourir je vais protester contre cette invention de la faiblesse et de la vulgarité, et prier mes lecteurs de s'attacher à détruire mes observations et mes raisonnements plutôt que d'accuser mes maladies.'

It is not, however, simply to his maladies that we refer. Bodily indisposition, however severe and varied, has been and may be borne, but the great resisting force necessary to neutralize its attacks cannot, consistently with the laws of our nature, be applied in all directions at once; from some of them must be drawn the energy that is to be spent in others. Neither his home, his country, nor his church offered to the mind of Leopardi the support that the heavy pressure on it required; but each, on the contrary, appears to have been an ever-fresh blister to his sores. Exhaustion under bereavements such as these is no sign of a cowardly or a vulgar spirit. It may with some truth be said; that one whose mental action could remain undisturbed by them, would show an insensibility quite out of the common range of human nature, and diverging from it on the side of what is brutal, rather than of what is divine.

Under such fiery trials the commonplace and every-day Christianity of the lip will not suffice; a man will either go on to the faith which removes mountains, or he will go backwards into misery and despair.

As to his domestic relations, the attempt has been made by his editors to veil them with a delicate reserve; but it has been ineffectual, as it could not be uniformly sustained. It is too plain, notwithstanding the mere *formulae* of attachment (copious as they are) and probably the honest effort to cherish the dying flame, that between his father and himself there was from an early date a want of all real confidence, together with many active causes of irritation and estrangement. Though he was even fondly attached to other members of his family, yet his intellectual wants were in no degree, it would appear, met by them, for he was, from age, and yet more from precocity; too far in advance of even his next brother; and they seem to have had from an early date, with a

warm

warm reciprocal attachment, great differences of opinion. Until he was twenty-five he had to choose between something like imprisonment at home and dependence on himself for the supply of all his wants in the event of his leaving it, in a country where it was impossible to live by literature until he had made his reputation, and where he must starve while making it. The generous efforts made by Niebuhr and Bunsen to obtain public employment for him in Italy failed on account of his being a layman, and he had not physical strength to brave the German climate. At home, however, he was in possession of the comforts rendered necessary by his wretched health; yet his letters teem with passages showing how he detested it. There are, indeed, references to the climate which he disliked, but it was the moral and social atmosphere that he acutely hated. Once he calls Recanati a hermitage, but more generally a desert, a cage, a cavern, a prison, a dark hole, a Tartarus, a tomb. The March is, he says, the darkest part of Italy, and Recanati of the March:* its literature consists of neither more nor less than the alphabet. It is true that he was ill satisfied with Rome, but whenever he got back to Recanati, though he certainly loved many members of his family, a sentiment of disgust at once returned upon him. Even while there he had not money to buy books or take horse exercise, though very needful for his health.† In short, he felt the pinch of poverty, and that sharply. Nor was the scale of his wishes extravagant: from two hundred to two hundred and fifty crowns a-year was all that he sought in his most ambitious mood: twelve crowns a month was what in his extremest need he begged of his father. 'I will submit,' he said, 'to such privations, that 12 scudi shall suffice for me. Death would be better; but for death I must look to God.‡' In his last days, therefore, when he was at Castellamare,§ he could not possibly consult a physician, because it would have cost fifteen ducats, not much more than two pounds, to have brought one from Naples. It appears, indeed, that the fortune of the family was at the time below its rank.|| Yet it also appears as if the daughter was to have a portion of some forty thousand francs on her marriage. Giacomo was the eldest son. On the whole it seems probable that the *argumentum a crumena* was put in operation against his unruly opinions, and with no other effect than that of maddening them.

In considering, however, a case so remarkable, it will occur to the mind to ask whether the study of pagan antiquity is probably to be reckoned among the causes of his religious desolation? and

* Op. V., p. 218.

† Ibid., pp. 58, 59, 254.

‡ Op. VI., p. 196.

§ Ibid., p. 228.

|| Ibid., p. 121. Text, and note of the editor.

the question is too nearly related to the dearest interests of England, whose choicest youth are trained almost from infancy to read and to digest both the thoughts and the diction of Latin and Greek authors, to be dismissed without notice; the more so as there is an opinion floating, so to speak, though it can scarcely be said to be current among ourselves, that the religious tendencies of our own system are questionable. In our view the answer may be said to lie in a single sentence, and it is this, that classical studies require the powerful corrective which Christian studies supply; that with this corrective they afford not only the most admirable discipline to the understanding, taste, and power of expression, but likewise the strongest secondary assurances of the truth and the need of the Gospel; but that without it they are full of danger. And the corrective lies not merely in the knowledge of Christian doctrine by rote; not merely in being acquainted, as we cannot doubt that Leopardi was in his youth acquainted, with its technical distribution according to the current theology; but in the true and living knowledge of it, in the application of the mind to Christian study with the same energetic tension with which pagan philosophy, history, poetry, and languages are studied. This application of the mind the practical system of the Church of Rome in Italy regulates and fetters even on the part of the clergy, dreads and utterly discourages on the part of the laity. 'Prove all things: hold fast that which is good,' is a precept which England has fearlessly accepted, and from the universal application of which she has not shrunk, alive to the serious dangers of her course, but bent upon its transcendent and inestimable advantages. It is, we believe, to this cause that we may refer the unquestionable fact that classical studies in this country are not found to have any sceptical tendency, and that the University of Oxford finds in Aristotle one of her most powerful engines of ethical, and indirectly of Christian, teaching. But then there must be real and vital activity of the mind upon the subject matter of religion, as there is upon the subject matter of pagan learning. Greece and Rome present to us great and masculine developments of our common nature, and wonderful triumphs achieved by them in every department both of mental and of practical effort: the mind cannot embrace them, cannot reap its reward in the appreciation of them, without the exertion of its powers at their topmost bent. We should shudder for the consequences, if our Christian studies became shackled, dry, and formal, and if thought were to owe its richness, and taste its refined discernment,—and, above all, if mental freedom and enjoyment were to refer their recollections either wholly or principally to those heathen sources. And, too plainly, thus it was
with

with Leopardi. It was not from the Genius of the Gospel that he had learned to mould the accents of his mind, to exercise the high prerogatives of his genius; it was on the mount of the Parthenon, and not of Sion; by the waters of Ilissus, not by the brook of Cedron. Homer and Hesiod, and Plato most of all, were to him for patriarch and for prophet; and to those works, which he latterly translated, we are persuaded that he went as with a sentiment of religion, as seeking for a Gospel in their generally high-toned though narrow morality, and recognising in them not only the beautiful dream of his imagination and the food of his powerful understanding, but the whole substance of his inner life. He exactly reversed the Christianised invocation of Tasso and enthroned the muse of Helicon again.*

Politics occupy the very smallest space in his works, and there is only enough to show that he was dissatisfied with the tone of the Legitimist party, to which his father belonged, while he was no friend to revolutions, which took the bread, scanty enough in his case, out of the mouths of literary men. As to religion, the way in which he commonly refers to it suggests that there must have been some most serious original error in the mode of presenting it to his mind. He seems not like a man casting it off, but like one who had never put it on. Sometimes we find its language used in that half-vague and half-jesting tone which suggests that he adhered to it by mere custom, and without more thought of a meaning than his less instructed countrymen when they use their favourite *Corpo di Bacco*. Sometimes, when it comes in connexion with some idea of pain, calamity, or death, it almost seems as if he had been taught it in the sense of those savage tribes who believe in a good spirit and a malignant one, but worship the latter only because the first, they say, will do them no harm, but the other must be continually intreated not to afflict, torment, or destroy them. This was not from unacquaintance with religious persons. *Con tutta la poca età*, he says at eighteen, *ho molta pratica di devoti*.† And without resorting to any invidious supposition, we may state that his father was known by his published papers to be a man of extreme opinions even in the Roman Church. We have before us a work of his, printed at Lugano in 1841, and bearing the title *La Santa Casa di Loreto; Discussioni Istoriche e Critiche del Conte Monaldo Leopardi*. It would be impossible to give, except by much detail, an adequate idea either of the unsuspecting *bona fides* or of the anile imbecility, combined with a certain perverse ingenuity, of this pseudo-critical production. The old Count had no ‘blank misgivings, questionings.’ He had just reason enough to guide him to the

* Ger., Lib. I. 3.

† Op., vol. v. p. 31.

perception that the current hypotheses concerning the *Santa Casa* must be false: but his lamp then went out, and, secure in the midst of murky Erebus, he sets up one which even the faintest twilight must have dispelled, namely, this, that the House of the Annunciation, which undoubtedly had disappeared from Nazareth in the first Christian ages, and which arrived in Italy, he conceives, about the middle of the twelfth century, lay concealed in some unknown place, by the special command of the Almighty, for the period of between a thousand and twelve hundred years before that miraculous event. Nor is this unexampled, he says, in the providential order of things: for as He was pleased to conceal Australia for six thousand years, so He might very well have hidden the *Santa Casa* for a fifth or a sixth part only of that time! And yet this same critical investigator—after reading the *Operette Morali*, which come as near to pure atheism as any work of the human mind can, and that not here and there, but in the grain—was content, it appears, to suggest corrections of it for the next edition, which the son freely promised to adopt!*

We have felt this publication to be really and painfully illustrative both of the domestic relations of a man constituted like Giacomo Leopardi, and of his violent reaction in the matter of religious belief. What a measureless interval must have separated at every point the mental framework of these two men so closely allied in blood! And what a repelling influence must the mind of the son have experienced in its early and ductile stages, from being accustomed to contemplate conscientious piety under the disguise, if not of these, yet of similar extravagances, and to identify it with them! Nor will our labour have been wholly without fruit, if it shall serve to bring into view the fearful dangers of that abuse of reasoning and contempt of history and of the laws of sound criticism which is so painfully characteristic of devoteeship in the Church of Rome, and which receives but too much of toleration, and even of encouragement, at the hands of her authorities, on account of the powerful agencies which by these means they are enabled to bring to bear upon the popular mind. There will thus be left upon the mind of the reader a deeper persuasion of the truth that the God of Revelation is also the God of Reason, that the laws of prudence and common sense are laws of religion as well as of life, and that he who in one generation lifts up belief to the edge of a giddy precipice, does but prepare the way for another to dash it at a single stroke into the cold, and dark, and cheerless void ever yawning at its foot.

Yet another word before we close. We have endeavoured in these pages to do justice without fear, not only to the genius, but

* Op. VI., p. 220.

to the virtues of this great, and greatly unhappy, genius. The readiness in these slippery times to argue from every conjunction of high gifts and amiable qualities with unbelief against the authority of religion, constrains us to observe what we would willingly have passed by. Although he was, we believe, naturally as well as conventionally noble, there are things almost base in the letters of Leopardi, as when he writes to his sister, who it seems had shown a reluctance to an union with a profligate young man, in a tone not of admiration, not even of tenderness and sympathy, but of reproving argument, to tell her that all young men are profligate, that the one in question is now satiated, and will probably make a good husband, and that though he may be occasionally unfaithful, he will always maintain the appearance of fidelity. But further we must observe that, whether from an original fault of character or from a bad education, he had but little strictness in his view of the great cardinal virtue of truth. We may notice this in small things, as when he writes to his publisher to warn him that he had given a recommendatory letter to a friend for a translation from Tibullus, to which, as it was written under the friend's eye, no weight is to be attached. We may notice it also in far greater matters. On the subject of religion in his intercourse with his father, he was—the words are wrung from us—nothing less than systematically disingenuous. Eighteen days before his death,* he tells his father that the period decreed by God for his life is approaching, and hopes that he is going to eternal repose : but in a thousand places he had denied the doctrine of a Providence, and he was then, as Gioberti tells us expressly—and with this the account of Ranieri so far as it is in point agrees†—composing the last canto of the *Paralipomeni*, which, going beyond even his wont, turns into sheer ridicule the doctrine of a future state, and of responsibility in connexion with it.‡ But in lieu of all others, we will give another single instance. We have already quoted his memorable letter to De Sinner, who resided in Paris ; it was written in French with a view, as is conjectured, to its being known. It was dated May 24, 1832. But on the 8th of July, 1831,§ he had written to his father that he could swear his works were mere poetry in prose, following one mythology or another *ad libitum*, as was allowed to poets, without being therefore called Buddhists, Pagans, Mahomedans, and so forth. And on the 28th of May, 1832,|| he told his father again that though he did not agree *precisely* in the principles of the latter, *his* principles had never been irreligious in theory or in fact.

* Op. VI., p. 235.

† Op. I., p. xv.

‡ Poesie, pp. 298-300 ; Paralip. VIII., st. 10-15.

§ Op. VI., p. 163.

|| Op. VI., p. 192.

He apprises us elsewhere that no French or English journal ever reached Recanati, and it seems impossible to avoid supposing that he reckoned upon Count Monaldo's seclusion to secure him against discovery. It would be easy, but is also needless, to pursue the exhibition of this duplicity in detail. And what inference do we draw from these and like points established in evidence? Certainly not that we are to assume a liberty of denouncing him as a reprobate: not that we are to obliterate or forget the traces of goodness any more than the proofs of greatness which his works exhibit: but that we are to protest *in limine* against the title he attempts to vindicate for himself of a dispassionate inquirer, who has arrived by the full and undisturbed force of his intellect at given results. If disease, difficulty, privation, nervous depression so acted upon his mind as to sap there the foundations of virtue in some of its first elements, it is too much that we should be called upon to believe that in his renunciation of principles both lying at the root of all revealed religion, and sustained, as he admits, by the universal voice of Nature, he is to be estimated simply as a Pure Intelligence not swayed to the right hand or to the left either by the agony that tore, or the disgust and moral nausea that oppressed, his mind. But having said thus much, and having desired to say it gently, let us leave him with thoughts only of the pity which his great sorrows solicit, and of the admiration that his genius challenges. Some, indeed, may be disposed to regret that his editors have been unable to keep back the matter to which we have last adverted. Their performance of their task, though inspired with a devoted love, is certainly open to the remark, that they have omitted either too little or too much. The gaps in the letters are most numerous, and are commonly so placed as to suggest that the missing passages relate to the most critical points of opinion, character, and life. But without doubt it was better for a generation like our own, which, even amidst the increase of religious feeling, seems insensibly to relax its grasp upon objective truth, and to decline into feebler conceptions of its authority, that the ease of Leopardi should be stated with at least that degree of fulness in which we now possess it. Lest in our desire to do justice to feeling and to taste, and lofty genius finding for itself a way to martyrdom through privation and intense and unremitting toil, we should have forgotten the verse with which he himself supplies us—

*Del quanto in verità vani siam noi ! **

Lest we should have become unmindful of the temptations, the infirmities, and the deep degeneracy of our race, and should

* Op. I., p. 41. From 'Il primo Amore.'

have left a single reader predisposed even for one moment to the belief that any other waters than those which flowed from the bleeding side of the Redeemer can heal its plagues, any other wisdom than the 'foolishness' of the Gospel give it permanent, uniform, or consistent elevation.

Rapidly surveying the character of Leopardi as a writer, we cannot hesitate to say that in almost every branch of mental exertion, this extraordinary man seems to have had the capacity for attaining, and generally at a single bound, the very highest excellence. Whatever he does, he does in a manner that makes it his own; not with a forced or affected but a true originality, stamping upon his work, like other masters, a type that defies all counterfeit. He recalls others as we read him, but always the most remarkable and accomplished in their kind; always by conformity, not by imitation. In the Dorian march of his *terza rima* the image of Dante comes before us; in his blank verse we think of Milton (whom probably he never read); in his lighter letters, and in the extreme elegance of touch with which he describes mental gloom and oppression, we are reminded of the grace of Cowper; when he touches learned research or criticism, he is copious as Warburton, sagacious and acute as Bentley: the impassioned melancholy of his poems recalls his less, though scarcely less, deeply unhappy contemporary Shelley: to translation (we speak however of his prose versions) he brings the lofty conception of his work which enabled Coleridge to produce *his* Wallenstein; among his 'Thoughts' there are some worthy of a place beside the 'Pensées' of Pascal or the 'Moral Essays' of Bacon; and with the style of his philosophic Dialogues neither Hume nor Berkeley need resent a comparison. We write for Englishmen: but we know that some of his countrymen regard him as a follower, and as a rival, too, of Tasso and of Galileo in the respective excellences of verse and prose. Some of his editors go further, and pronounce him to be a discoverer of fundamental truths: an error in our view alike gross, mischievous, and inexcusable. Yet there are many things in which Christians would do well to follow him: in the warmth of his attachments, in the moderation of his wants, in his noble freedom from the love of money, in his all-conquering assiduity. Nor let us, of inferior and more sluggish clay, omit to learn, as we seem to stand by his tomb beside the Bay of Naples in the lowly church of San Vitale, yet another lesson from his career; the lesson of compassion, chastening admiration, towards him: and for ourselves, of humility and self-mistrust.

Ellen Middleton: a Tale. By Lady GEORGIANA FULLERTON.
3 vols. London: Moxon. 1844.

It is but seldom that our readers, if at least their experience agrees with our own, have the good fortune to find the true preacher in the guise of a novelist, as well as with the vestments of the female sex. As regards every thing which bears upon the higher functions and higher destinies of our nature, the presumptions are sadly against any book which issues from the press in the fatal form of three volumes crown octavo. Too truly may it be said of many novels of the day, that while they have escaped from the rudeness and grossness of earlier times, it has been by an artificial and unhealthful process: they have diffused the poison, not expelled it: they are whited sepulchres, and their uncleanness remains within; because they are still intended to stimulate appetite, not to minister food: they are still framed according to the maxims, not of the Gospel, but of that world and flesh with which the Gospel is at perpetual war: and religion, if it appears in them at all, appears as a foreign element, of which a certain portion must be introduced to satisfy, or rather to appease, the better description of public opinion. It lies there like oil in water, without any thorough admixture, or any affinity to the general spirit and texture of the work. And in another class of romances, where religion is more copiously infused, and more distinctly exhibited as an ingredient of the composition, how generally may the remark be made, that the combination is inharmonious and repulsive; and that good intentions, employed in the endeavour to show off Christianity to the best effect, have only terminated in strengthening the latent, and furtive, and often unexpressed, but too real, too congenial impression of the reader's mind, that after all it is the *génie* of life; that we were born for what is visible and proximate; that the savour of heavenly things is faint and vapid:—

“Eurer Priester summende Gesänge
Und ihr Segen haben kein Gewicht¹.”

What is given to God seems taken from man. We are robbed of some portion of solid enjoyment, and mere air is offered as a substitute. It is felt, upon the whole, that the vivid and penetrating parts of the story are those which are conversant only with human aims, joys, and passions, and that the Christian tone

¹ Göthe's *Bride of Corinth*.

is a sickly and lowering addition. Indeed, we fear that many fictions of the class termed religious may have produced a revulsive effect; and on this account there seems to be some reason for regarding with favour a work like *Cœlebs*, in which invention forms an ingredient no larger than that of religion in ordinary novels; that is to say, it is imperceptible, and from the first page to the last almost unmitigated morality prevails. But we confess we should think better of *Cœlebs* if even that small element of fiction were expelled. Sermons and moral essays are exceedingly good things, or may be so, and there is no reason for publishing them under fictitious titles; but it is not wise to give the reader ground to expect a more highly-seasoned banquet, as he can then scarcely be blamed if he be disappointed at finding nothing except plain and homely fare.

But of the eminently able, and eminently womanly work before us, we may state, that of all the religious novels we have ever seen, it has, with the most pointed religious aim, the least of direct religious teaching: it has the least effort and the greatest force: it is the least didactic and the most instructive. It carries, indeed, a tremendous moral: and were this an age of acute and tender consciences, practised in self-examination, and intensely sedulous in making clean the inner chambers of that heart of man which is ordained to be the Redeemer's abiding-place, we might fear its producing here and there wounds over deep and sharp. But our authoress has to deal with a dull and hardened state of the public mind, and she can but do something towards quickening and rousing it. Let us not conceal it from ourselves, that men cannot live for generations, and almost for centuries, deprived of any other spiritual discipline than such as each person, unaided by the external forces of the Church and the testimony of general practice, may have the desire and the grace to exercise over himself, without being the worse for it. We must needs have lost much both of the tone that such discipline was intended to maintain, and of the power to discern and realize the detriment we have incurred. Indeed the notions have gone abroad among us, and that not only where avowed ungodliness prevails, but likewise in connection with very strict professions of religion, that the inward direction and government of the spirit are not a great, arduous, and perpetual work, but a mere corollary, following as matter of course, or little more, upon the sincere adoption of certain doctrines; and, therefore, that they need not be made the subject of a distinct solicitude and care: that the inward consequences of sin, though never corrected by confession, by efforts of pain conscious and sustained, by restitution, those various parts of the process of repentance which test and ascertain its solidity, may

be neutralized by the mere lapse of time, and, so to speak, taken up and absorbed like the ill-humours of the body: that it shows a want of faith, and savours of Judaism, or some other *ism*, to employ detailed and systematic means for the purpose of working out Christian renovation. Against this false philosophy and false religion the writer of the work before us does battle, not by any logical analysis and exposure of its deceptiveness, but by exhibiting to us the machinery of a human heart in full play amidst the trials which critical combinations of circumstances present, and instituting before our eyes the appeal to its living experience. She has assailed that which constitutes, as we are persuaded, the master delusion of our own time and country, and in the way of parable, and by awful example, has shown us how they that would avoid the deterioration of the moral life within them, must strangle their infant sins by the painful acts and accessories of repentance; and how, if we fall short of this by dallying with them, we nurse them into giants for our own misery and destruction.

But it is time that we should introduce our readers to the story of Ellen Middleton.

Mr. Lacy, a sort of model-canon, is struck, while officiating in his cathedral, with the aspect of a woman, who attends the services with interest, but apparently without joy or hope. He becomes acquainted with her, finds her to be suffering in a burdened and wounded spirit, and under the bodily pressure of a hopeless consumption, which she seems to goad onwards to its maturity. He exhorts her to lay open her sorrows to him in the exercise of his priestly office, and she is led to place, by way of confession, her written history in his hands.

Ellen Middleton, an orphan, was educated in the house of her uncle and aunt, of the same name, and was attached sincerely to the former, to the latter tenderly. Stung by the petulant and repeated provocations of her cousin Julia, their only child, and a selfish, ill-conditioned girl, Ellen strikes her in a fit of anger: the child falls into a stream that flows by Elmsley Priory and is drowned. A single voice utters the words, "she has killed her;" but for some time there is no other sign that there had been a witness to the scene. Meanwhile the fall had been taken by the family for an accident. Accusation or upbraiding often comes as a friendly force in aid of the reluctant, hesitating tongue, and if Ellen had been suspected she had been saved: but the first words addressed to her show that there was no idea of her participation in the catastrophe. She had also her own violent agitation to bewilder her, and the dread of adding to the pangs of her uncle and aunt in the hour of their parental agony. So that at

first she did not tell, then she would not, and then she could not. "The act of self-accusation grew into a moral impossibility." Her uncle says to her, "You are now our only child, Ellen." Presently she is asked by her aunt to pray for her, and

"Hot searing tears were slowly chasing each other down my cheeks, and the storm within was raging wildly in my breast; but I did not pray—I could not: a sheet of lead seemed to stretch itself between me and heaven; and when the light of day broke slowly into the chamber of mourning I closed my eyes, not to see the sun, in its calm majesty, dawning on the first day of my changed existence."—vol. i. p. 78.

We think that the foundation of the subsequent story is laid in these events with great moral truth and no less artistic skill. The first offence is a blow struck in anger: the accidental consequence of that offence, the death of a human being, formed no part of its guilt, but it aggravated the difficulty of confession, not only on account of the pain and shame to the offender from association through a passionate act with a fatal catastrophe, but likewise by enlisting a less ignoble motive on the side of concealment, namely, the apprehension of opening afresh the wounds of her nearest relatives and dearest friends, and depriving them of the entireness of their chief remaining joy in herself. On the one hand, it is left quite clear that she ought to have confessed; on the other hand, the incidents are so adjusted as to offer those small impediments and causes of diversion which frequently, by their successive action, effectually intercept the formation and execution of good resolutions: so that while there is no obscuration of the dividing lines of right and wrong, no tampering with the principles of duty, yet the deviation is intelligible and in entire keeping with probability; as well as, in a moral view, perhaps venial or secondary, certainly at first sight far from irrecoverable.

But from this beginning by a small sin our authoress has woven the tissue of her tale: the offence of a moment, and a concealment of it far from being wholly cowardlike and selfish, are the warp and the woof of the story, whose combining threads by slow but sure degrees inclose and entangle Ellen Middleton in meshes, from which escape becomes an impossibility. And we think an attentive reader can hardly do otherwise than admire the mode in which the entire detail of the book is made subservient to the unfolding in living representation those cardinal truths, that in this world of ours, when once we have let "I dare not" wait upon "I would," "I cannot" presently waits upon "I dare not;" that our particular actions never terminate upon

themselves; that our moral opportunities return not, except with enhanced art and diminished promise, like the Sybil's books; and the faculty of inward choice, like the circulation of the blood in regions of intense frost, can only be sustained by active exercise, and becomes benumbed and petrified, if its tension yield to the lethargy that ever presses upon it from the unkindly atmosphere without.

It is a sublime result of the Christian revelation, to exhibit the strict and close concatenation which in characters of great depth, force, and scope, links indissolubly together the occurrences of their inward history, and to evolve through a continuous detail into a great consummation, the final fruit of some act, secondary in magnitude when it occurred, and seemingly long gone by; and yet to refer all the parts of this great scheme to their proper efficient cause respectively, in the free will and responsible agency of man. We look back with great admiration to those dramas of the Greeks, in which this unity of idea and fortune is most forcibly exhibited, an unity always directed towards crime and suffering, and testifying to divine truth, in so far as it teaches the doctrine of retribution, but sadly obscuring it, in so much as both are alike derived from an uncontrollable and iron necessity as their main origin. Again, the manner in which the chain of woe is carried on from generation to generation, from Agamemnon to Orestes, from Jocasta to Œdipus, and from Œdipus with Jocasta to Eteocles and Polynices, while it enhances the idea of retribution as an awful reality, still more perplexes the moral grounds of that idea: for if the offence of the parent were, so far as he was concerned, one of accident or of pardonable error, and was really referable to a hidden and superior decree alone, then the more faithful the transmission of the consequences, the more appalling indeed the picture of human misery, but the more ambiguous, or rather the more hopeless, is the path of escape, and the more perplexing the question, "If there be a God in the world, why are these things so?"

ἰὼ βρότεια πράγματα· εὐτυχοῦντα μὲν
σκιά τις ἂν τρέψειεν· εἰ δὲ δυστυχοῖ
βολαῖς ὑγρώσσων σπύγγος ὤλεσεν γραφὴν².

But to the practical dilemma which thus beset the fortunes of our race, and which fastened by a magic interest the creative minds of paganism, Christianity brought a great solution. It showed us, that there was indeed a reality in this doctrine of moral causation, that every act we do is full of the power of re-

² Æsch. Ag. 1298.

production, that we are tracked and hunted by our own deeds ; and that after we have lost them from view and from memory, they re-appear, and claim as of right the mastery over our fate. All the unity and continuity, which, according to the Greek ideas of destiny, belonged to the processes of the life of man, is even more clearly shown by Christian philosophy to pertain to it : but it is not because an arbitrary, unsympathizing power, extrinsic to us, decrees a series of calamities to descend upon our heads, and determines to draw worship from the awe which the darkly-coloured picture, and the sad procession of its figures, shall instil ; it is because a will residing within us, and made free to choose the better part, forges its own chains link by link, in again and again choosing the worse ; it is because every action done has a tendency to determine the form and character of that which is next to be done ; and they who act without taking this tendency into account, are delivering themselves and their own future into the hands of a blind power, small at first, but rapid in its growth, in its maturity portentous and irresistible.

Unhappily these great truths, of which the philosophical exposition is to be found in Bishop Butler's doctrine of habits, have miserably fallen into neglect, during the periods of cold and superficial theology with which the Church has been afflicted. Some there have been in whose teaching Christian virtue has been a mere code of maxims and restraints, scarcely more calculated to be operative upon character in its latent springs, than the regulations of a turnpike-road upon those who travel along it, instead of being "the power of an endless life," the manifestation of the heavenly gift, translucent from within, through the veil of flesh. The laws of inward formation could not but languish and decay, for it has seemed at times as if the very idea of such a process had been lost. Then came that impatient reaction of minds which felt themselves defrauded of the great living powers enshrined in the Gospel covenant, and they determined to recover those powers, and they sought as it were to ensure the possession and enjoyment of them by compressing their whole agency into a short and single crisis : a life of loathsome sin, the sharp pangs of a moment, hour, or day, and then a fixed, almost a dogged assurance of sanctity and of felicity, imagined to be founded on the principle of faith ; this was the history of the Christian soul in that peculiar phase of the world's religious life. But this device, so short, so cheap, so simple, has long ago become full of cracks and fissures ; a strong man, as we readily grant, and an earnest one, made it, and it has served its day and done its work : a stronger man is destroying it, and larger, broader, deeper truths rapidly resume their sway, and promise the revived

consciousness and use, on behalf of the people of Christ, of all the means of discipline which He graciously bequeathed to them.

When Ellen Middleton has thus buried within her breast the secret of the catastrophe in which she had scarcely been a guilty agent, it follows very naturally that with a susceptible and imaginative temperament she should brood inwardly over the act until its proportions become distended and magnified, and her own vision morbid: that the very same causes which render concealment more and more painful, should also render confession more and more difficult: that she should be driven rather than led to the alternative of seeking for that excitement, of which unhappily the genuine enthusiasm of youth, and its powerful flow of feeling, are so frequently made the mere ministers and slaves.

Henry Lovell, the brother of Mrs. Middleton, and Edward Middleton, the nephew of her husband, are both frequent visitors at Elmsley, and are both possessed, from the first stages of this narrative, with a very deep passion for Ellen. They were contemporaries at college; and with characters fundamentally discordant, they had contracted an intimate friendship. Edward has great depth of feeling, but it is combined with an overwrought sternness, which gives him the power of sealing it, and rendering it wholly inaccessible: a sternness of which we must say, that it is finally carried to the very verge of the probabilities of nature, although it is combined with a sentiment of justice so strong as to preclude precipitate conclusions, and although faith decidedly predominates over suspicion in the composition of the character; indeed, without this predominance, it could not have the nobleness which it undoubtedly presents. Edward is also a religious man in the sense that he acts habitually under the influence of a conscience towards God, although he is not a subdued, and therefore not, in a Christian sense, an elevated character. Henry Lovell, on the other hand, had the power of talking as if he felt all the charm of that truth and affection, of that love for what is good, and what is beautiful, which form in the main the groundwork of Edward's character; all that to Edward was reality, to Henry Lovell was the pleasurable subject of mental speculation; and the community of expression which in this way would belong to the two, to the one as the spontaneous working of his soul, to the other as an exertion of the mind for delight, form, as we take it, the point of union between them and the basis of their intimacy.

A dangerous gift, that same power of speech which simulates reality in treating of high matters of virtue, beauty, and affection: a gift, of which the chief peril consists in this, that the possessor of it, while he deceives others, is also self-deceived,

and is far less likely to become conscious of his own internal desolation, than if the actual evil within him were not chequered with images of good, and intercepted longings after it, which retain their aspect, but have been emptied of all inward energy. We have seen Henry called, in print, the villain of the book. But this is an uniform description applied to a multiform character. If you mix all the colours of the composition together, no doubt the result will be a dark, a very dark one. Yet a man who can entertain a very strong, deep, and permanent attachment, who is capable of making, even once, a great effort of self-constraint and self-denial for the sake of another, and who dies of the wound that attachment had inflicted, does not present the unrelieved depravity which constitutes the villain. We regard this person of the tale as one upon whose conception great pains have been bestowed with great success, and the intermixture of his qualities as most subtle and most true ; for, alas ! no artist's hand can rival actual nature in those wonderful combinations of good and evil motive in the same man, and even in the same act of the same man, which every one's outward, and happy is he if not also his inward, experience presents to him.

Henry Lovell had been the witness of the death of Julia ; and he, therefore, reads with accuracy the subsequent state of Ellen's mind. He dreads Edward as a rival, and he determines to make use of his knowledge for the purpose of displacing him, of gaining possession of Ellen's heart, if he can, or, if not, then of her hand, or even, failing both these, of exercising a potent sway over her happiness, and obtaining, in the last resort, that kind of consolation which one, whose passion is founded in selfishness, derives from perceiving, and letting others perceive, that he can agitate and sway the object of his love in almost every other mode, if not in that of the reciprocal sentiment. This is, in fact, the refined form, suitable to such an age as that we live in, of the thirst for vengeance accruing upon rejected overtures, which, in more barbarous times, has converted wounded admirers into cruel persecutors ; for it is not in such cases that an abstract hatred takes the place of love, but it is that the selfish elements, often very largely mingled, and even predominating in that passion, may overbalance, when the hope of success is cut off, its gentler and nobler influence ; and the suitor, having failed in exercising power over the person beloved through her will, aims at the next best result, namely, wielding it, and establishing, as it were, his interest and property in her against her will. Some persons, we understand, are what our forefathers call "stumbled" at this iniquity of Lovell's, but we apprehend they forget that love, however popular be the name, as the centre of all novels and

comedies, and most tragedies, is not necessarily a generous emotion at all: that the possession of the heart of a fellow-creature *may* be desired with a selfishness as gross and as unmixed as gold, or jewels, or any other earthly creature; and that although the cases of such ripe depravity are rare, yet perhaps rarer still are those in which vanity and self-love, and the mere desire of acquisition, do not form some portion of that sentiment; in which some part of the pain of rejection does not arise from the wound inflicted upon self-esteem. Lovell's was a case in which the baser ingredients were much larger than usual; but we fear that even this extreme degree is entirely within the bounds of nature.

He ministers to Ellen's morbid state of mind by the lavish application of his varied powers of amusement and excitement. From rapid exercise on horseback, up to the highest resources of books and conversation, every means was sedulously applied to stimulate the imagination and to drown thought. But "there was not a grain of tenderness in the feverish predilection she entertained for him," although his society was interesting to her in a high degree, and his absence caused a painful void. In the mean time Edward, dissatisfied with the exaggeration and fitfulness of her life, and with the appearance of an interest in Henry, goes abroad.

Henry, finding that no real progress has been made, puts another engine into play. He procures for Ellen an invitation from another aunt, Mrs. Brandon, whom he prepossesses with the notion that they are attached, and places Ellen in that position relatively to the party at the house, which of itself, if it does not make a marriage, mars one. All, however, is in vain; he "fascinated her mind, but did not touch her heart³:" yet she was herself in part deceived, and for some time did not dispel his belief that his affection was returned. In the mean time her inward pains are not assuaged: and at church, attracted by the venerable aspect of the officiating clergyman, she conceives the idea of confessing to him. By a little plan she separates herself from her party after service. She awaits him in the churchyard, and rises as he passes.

" 'I am glad you like our old churchyard,' said Mr. Leslie: and then he began talking of the views, of the neighbouring scenery, of the ruined palace, now transformed into a farm, of all the subjects he thought would interest me, little thinking that at that moment the secret of a life of anguish, the confession of an over-burthened conscience, was trembling on my lips. The more he talked, too, (although

³ Vol. i. p. 225.

there was nothing unsuitable to his sacred office in any thing he said,) the more I felt to lose sight of the priest of God, of the messenger of heaven, in the amiable, conversible, gentleman-like man before me."—vol. i. p. 211.

Yet she summoned courage, on his preparing to go, to ask for an appointment before the afternoon service: but before he returned she lost the courage she had mustered with so much effort, and, on his again approaching her with a bland inquiry as to her purpose, she felt she had no strength to execute a design so thwarted by insensible repulsion, and the only resource the moment offered was to draw her purse from her pocket, and to beg him to distribute the contents among his poor parishioners.

We must pause for a moment to moralize on the case of Mr. Leslie. Religion has been of late years driven back in great part from that acknowledged position of prominence and authorised power which it once used to occupy in ordinary life; although not yet absolutely "relegated into obscure municipalities and rustic villages," yet it cowers and skulks in society, and manifests not itself until, by some careful application of the touchstone, it has ascertained in what quarter sympathy exists. Or else, in minds more fearless, or less delicate, it projects upon the surface, not in its natural effluence, but according to some harsh and crude form, with effort and with assumption. In this state of things it is hard even for the priest, to be so absorbed in the sense of that vocation which attends him whithersoever he goes, as not ordinarily to remit somewhat of the character and bearing that belong to it: and we believe that if the interiors of hearts were opened, there would appear to be many, who meet together in discourse, and who, simply from fear and mutual mistrust, keep their conversation far below the tone at which it would be most congenial to them all. And yet it is not by violence of effort that this state of things can be amended: it must be by the diffusion of the atmosphere of devotion in which men can meet and breathe freely: it must be by the recognition of those symbols of religion which have become so faint and few among us, and among which will be prominent the broad and clear development of the clerical character, both as it respects the obligation of the clergy to live nearer to God than others, and likewise as regards the making full proof of their ministry, and fitting their whole demeanour to the specific and, so to speak, official form which belongs to it.

Ellen is now recalled by her uncle, Mr. Middleton, who has heard of his brother-in-law's intentions with respect to her, and is determined to intercept them. But before her departure

Henry Lovell arranges a visit to the sea-shore; and we must give the passage which describes the first approach.

“We turned a corner in the road, and, for the first time, the sea lay stretched before my eyes. It was rough: the waves were crested with foam; and already I heard them break with that sullen roar, with that voice of the ocean, in which, as in the thunder of heaven, we instinctively recognize the voice of God. . . . The sea was not, as I have seen it since, blue and calm, glittering with a thousand sparks of light: not like some quiet lake, which ripples on the shore, and murmurs gently as it bathes the shining pebbles in its limpid wave; no, it was as I would have chosen to see it for the first time, stormy, wild, restless, colourless from the everlasting fluctuation of colour, brown, purple, white, yellow, green, in turns: billows over billows chased each other to the shore, each wave gathering itself in silence, swelling, heaving, and then bursting with that roar of triumph, with that torrent of foam, that cloud of spray, that mixture of fury and of joy, which nothing in nature but chafed waters⁴ combine. O God, I have suffered much: terror, remorse, agony, have wrung my heart, have shattered my nerves: I have been guilty; I have been wretched: I dare not thank Thee for the tumultuous joys of passion, for the feverish cup of pleasure, hastily snatched, and as suddenly dashed to earth: but I will thank Thee for the swelling of the heart, for the lifting up of the soul, for the tears I have shed, for the ecstasy I have known, on the sea-shore, in the forest, on the mountain. The heart knoweth its own bitterness; but there is also a joy with which the stranger intermeddles not.”—vol. i. p. 235.

The reader will observe that this is not cited as an example of the working of a devout mind, but, on the contrary, of one which is imaginative and susceptible, and, though able to recognize communion with God in His natural works, not yet inwardly subdued. Ellen, however, had at this time other subjects of excitement awaiting her. Lovell took the opportunity to propose to her a secret and immediate marriage; and on her refusal, which revealed to her the state of her own heart, and made her conscious that he had no part in her affections, he burst into violent menaces, and declared to her that their fates were mysteriously intertwined; that they must be happy together, or miserable apart; and that others would be involved in the calamities of his rejection. This scene is impassioned and eloquent in a high degree.

Immediately after this desperate outburst, Lovell marries a young creature of exquisite beauty and simplicity, by name Alice Tracy, the grand-daughter of his nurse, educated in circumstances

⁴ See Coleridge's beautiful lines on the Avalanches.

somewhat better than that name would indicate, (as a member of the family had died wealthy,) in perfect freedom from the knowledge and contact of evil, and in singular purity and devotion of character. She married him in simple obedience to the command of her grandmother, who had reared her. To the old woman it had ever been a darling object of ambition that this union should take place ; and her power to force Lovell into it rested upon a document with his signature, promising the marriage, which she possessed, and which recited that she had advanced a large sum of money to replace a theft committed by him in a moment of desperation for the purpose of liquidating a gambling debt.

We do not deny that there is some complexity in the accessory incidents of this story, nor do we hold the plot to be constructed with the highest technical skill, so far as regards its details ; but we are chiefly concerned with the far higher qualities of delineation of character in its finest and most fugitive shades, as well as in its broadest and deepest colours, (that is, according as modern life and habits admit these terms to be applied,) for which the work is remarkable.

Soon after this marriage, the return of Edward Middleton is announced. His passion for Ellen is unabated, and she cherishes one of equal ardour, but yet one mixed with dread of his severity. At first, she determines to make her confession to him ; but when his eyes fall upon words in her writing that had reference to the subject, again she flinches ; and when he affords her the opportunity, by asking what they mean,—“ I laughed hysterically, and said they meant nothing : that was the first time I lied to Edward ⁵.” Again weakness hardens into a resolution of evil, and she determines never to tell him that which she conceives would make him loathe her ; but she also determines, as an act of self-denial, that she will on no account marry him ; and this she makes known to him upon his declaration. Although she vehemently disavows all love to Henry, he leaves her in mistrust as to the cause, and as to her general sincerity.

The scene is then shifted to London ; and we are introduced to Alice as the wife of Henry, pursuing her simple and saintly life in holy worship, in works of mercy, and in such opportunities of communion with natural objects as are at her command. She begins Lord Byron, and quits his works because they open to her a world of evil ; she betakes herself to Scott, and reads him with guileless pleasure, but desists because she finds that the excitement even of that study tends to disquiet her mind and disqualify her for her path of life.

⁵ Vol. ii. p. 11.

Her husband, though not wilfully or gratuitously unkind to her, still burns with the fatal ardour of his love for Ellen; and as we now enter upon a new ground, we must render our testimony to the perfect delicacy with which the history of that unfortunate and sinful attachment is described. He avows to her the fact; he apprises her, too, that he, with one other person, knows her secret; and thus brings his last great engine of power over her into operation. She remains wholly untainted by participation in his passion; but partly from intellectual and imaginative sympathies, more from her apprehensions and dependence, she has not courage peremptorily to repel him from her society, and with the most selfish cruelty he parades their apparent intimacy in the intercourse which London society affords, racking the mind of Edward with doubts and jealous fears, and involving his victim more and more deeply in the net. Real generosity of nature, however, struggles manfully in the mind of Edward against presumptions that would have appeared demonstrations to an illiberal mind, and his character shines brightly in this part of the book.

Lovell uses a casual opportunity to extort from Ellen Middleton an oath, on which we have more to say presently, that she will never reveal to Edward the history of her cousin's death; and on this concession acquaints her that Mrs. Tracy also witnessed the event,—that having hated her as Alice's rival in his affections, the old woman also abhorred her as the murderess of her cousin for the sake of the estate; that under the united impulses of conscience and hatred, she had resolved to expose Ellen, and had only pledged herself to withhold the disclosure upon Henry's assurance that Ellen would never marry Edward, and, consequently, would never enter into possession of the property which Mr. Middleton intended to make conditional on that event. Not that this of itself would have sufficed to keep Mrs. Tracy quiet: her silence was really a tribute to Henry, who, through his wife, possessed the key to all the old woman's feelings; and Henry, instead of using this power with disinterestedness for Ellen's sake, represents to her the promise as being clogged with a condition on which he placed a value, because it kept, or tended to keep, her by one stage less removed from his reach, than if she were to become the wife of his rival. She groans under the tyranny of help so afforded, and her spirit ever and anon rises into indignation; but the spell of her old sin remains upon her,—she is obliged to quell her own pride, and even to soothe his when she has wounded it. Meantime his relation to Alice is that of an abstract acknowledgment of, and respect for, her virtues, with something like a remote and feeble love, no more than is extorted by near contact with purity from the most reluctant will:

his frenzied passion for Ellen has for its first law the gratification of his own selfish pride; for its second (although only to operate when he is powerless for the former end), the promotion of her welfare.

A momentary danger from the attack of a mad dog, from which Ellen is rescued by Edward, and a *replique* on her part, in our view supererogatory, by the application of her lips to draw the venom from the wound which he had received in the effort, naturally enough produce a relative position of a decisive character. The result shall be related in the heroine's own words, extracted from a letter which she writes to Lovell to obtain his aid with Mrs. Tracy.

"An involuntary spontaneous acknowledgment of affection, which escaped me in a moment of imminent peril to him, incurred in reseuing me from a similar peril, was followed by an assumption on his part that our marriage was to be the natural result of such a confession. My uncle considered it in the same light; and I found myself involved in an engagement which in cool blood I could never have contracted. An attack of illness, resulting from the events of the morning, has since kept Edward in a state which would have made any extraordinary emotion dangerous in the extreme. Against my will, and at the same time impressing this warning upon me, my aunt took me to him; and in terror for his health, with outward calmness and inward shame and misgivings, I gave the promise, which must lead to my ruin, unless you can save me."—vol. ii. p. 184.

During the interval before his reply, the tempest rises in her soul again; and even while she utters the words of prayer, she conceives for a moment the idea of braving her fate, of meeting accusation with reckless denial, and trusting to her own resources and Lovell's aid to repel it. For she knows that as she serves him through fear, so he must serve her through passion.

"But as the thought passed through my mind, I shuddered at the rapid strides I was making in falsehood, and felt a horror of myself which I can hardly describe. There was I, kneeling in mock homage before God, that God who had saved both Edward and myself from a fate worse than death, while bad passions were raging in my soul, and thoughts of evil working in my mind.

"The posture of prayer, the words which I had mechanically uttered, brought on one of those sudden and unaccountable revulsions of feeling which sometimes succeed the fiercest assaults of the tempter, as if our guardian angel had wrestled with the spirit of evil, and driven him away for the time. I remembered her to whom much was forgiven, because she had loved much; and as I thought of that Saviour, that man of sorrows and acquainted with grief, at whose feet she knelt—ay, even while seven foul fiends were struggling in her heart; I longed

to kneel before Him, too, in deep prostration of spirit, and lay all my sorrows, all my sins, all my difficulties at His sacred feet, bathing them as she did with tears, and wiping them with the hairs of her head. Oh ! if in that moment of emotion, in that hour of penitence, I could have gone to one of those who, ministering at God's altar and endowed with His commission, have authority from Him to pronounce words of pardon in His name : if the fatal barrier which habit and prejudice so often raise between the priest of God and the erring and overburthened souls committed to his charge, had not in my case existed : if from his lips I could have heard the injunction to forsake all and follow Jesus, and he had added, Do this and be forgiven,—it might have changed my fate. But, as it was, my penitence spent itself in unavailing tears, and my yearnings towards a better course ended in the same bewildering and oft-repeated question, which I could not, dared not, answer to myself, or for myself,—‘ Where lies the path of duty through the intricate maze in which guilt, misfortune, and weakness have so hopelessly entangled me ? ’ Once more I rose from my knees, without any fixed purpose, without any steady resolution,—the creature of circumstances, and the sport of events.”—vol. ii. p. 190.

Henry Lovell, in answer to her appeal, informs her, that he has purchased, or rather extorted, from Mrs. Tracy a promise to remain silent after and notwithstanding her marriage to Edward ; but not without a frightful conflict between his subtle and her stubborn will, in which he had only gained the victory by threatening her, that he, on his part, would reveal to Alice the whole history of her grandmother's contrivance for her marriage ; would proclaim that his love for Ellen Middleton was unalterable, and that in revenge for the overthrow of her happiness he would quit England at once, alone, and for ever. But in this letter, which is a masterpiece of art and double-intention, though he has made a great effort, though for Ellen's sake he does that which no other can, and does it in order to enable her to consummate her union with his rival, his proceeding is still leavened with the desperate tenacity of his self-love ; a pledge of future kindness to Alice is a part of his bargain with Mrs. Tracy, and he implores Ellen to assist him in fulfilling it, to lend him by her society and friendship the strength which alone can enable him to fulfil his word,—to continue, that is to say, those confidential relations which are the condition of the prolongation of his power.

The marriage approaches ; and poor Ellen writhes under the torture of her severe but true-hearted uncle's address.

“ ‘ On you, Ellen, and on Edward, I have settled all my property. Since the day that I lost my only child, this has been my fixed purpose. I was anxious to live long enough to see it accomplished, and I am thankful that wish has been granted. I have one request to

make to you both. Call your eldest girl Julia; make her wear this chain,—it was round my child's neck when she died; and if I live let me see her often. Now go, and God bless you both!

"I don't know what I said or did: these words fell like burning lead on my soul, and I almost sunk on the ground. Edward took me out of the room; and the only hour of relief which that day afforded was when, with his arm around me, and my head on his shoulder, he suffered me to weep in silence.

"Then he raised my head gently, but forcibly; then with his sweet smile and his low, deep voice, he whispered to me that his happiness was unutterable, his love boundless, his soul mine for ever. His words, words of passion from him whom I worshipped, at whose side I felt myself unworthy to live, at whose feet I would have been content to die: those words, those looks, those tones, thrilled through my whole frame and wrought on my brain, turning remorse for the past and fear for the future into a delirious dream of joy, even as laudanum can change pain itself into ecstasy."—vol. ii. p. 278.

Then follows a passage, which in our judgment has so much dramatic grandeur as to be worthy of Scott, in the "*Bride of Lammermoor*," or of *Æschylus*, in the "*Agamemnon*."

"I dreamed that night that I was in church, and that every thing was prepared for my marriage. We stood before the altar, and the priest opened the book for the marriage-service; but as he began, it was the burial-service that he read. They stopped him, and he turned the pages: but ever as he began again to read, the same words came to his lips, and the book in his hands grew larger and larger, and the words, 'For the burial of the dead,' stood out in bloody letters, and seemed to rise from the page. I looked up into the priest's face; and that was changing too. I had seen those features before: but I knew them not till the thin lips moved and said, 'Julia's murderer, Julia's murderer.' And then the book and the altar were gone, and a coffin stood in its place: and the same voice said, 'open it!'—and the lid rose, and there was a corpse in its shroud. It lifted itself up slowly, and I could not see the face: but I cried out in terror, 'Who is it?' and the grave clothes fell—it was Alice! I closed my eyes and shrieked: and the voice said, 'look again—look again.' I looked; and it was Edward. Over and over again, during that night, I awoke in speechless terror; and when I went to sleep again, the same dream, with slight variations, haunted me anew."—vol. ii. p. 280.

Here indeed, as elsewhere, we do not perceive that congruity in the matter-of-fact part of the delineation which might have been desired, and which a more hackneyed novel-wright would not have failed to secure: for Edward and Alice, whose deaths form the subject of this prognostication, are precisely those personages of the tale who are spared by the catastrophe: but we

cannot too highly praise the idea and the imaginative execution of the passage.

The appointed day arrives, and the marriage rite is celebrated, not without the apparition of Mrs. Traey; but she quails before the glance of Lovell, from whom also a groan proceeds as the bride is given away. A short fit of illness produces exhaustion, to the overwrought spirit of Ellen the main condition of repose: and there follows a single week of ecstasy, which is described in contrast with the agony to follow, at the opening of the third volume, in a passage of remarkable beauty, with which want of space alone forbids us to adorn these pages. That dreamy period is cut short by Edward's election as a member for his county, upon a casual vacancy, at which she is displayed as his lovely bride, and rendered miserable by menaces of exposure, to her but too intelligible. In broken phrases she had spoken to him of remorse and self-reproach: but all this he treats as mere sickly sentiment, and sternly forbidding her to tamper with reality and sincerity, by trifling upon matters of such weight, he effectually seals her lips to him, and cuts off that hope of relieving her burdened breast, which the ever-growing tenderness and confidence that form the natural law of married life should have afforded.

But in proportion as Ellen was now by her marriage more entirely removed from the scope of all pure and true love on the part of Henry, does he become resolute and violent in his measures for maintaining his place in her society, and for making it known and felt that he stands in relations of confidence towards her. By his comprehension of a woman's nature, and, in particular, of that remarkable woman with whom he had to deal, he alternately touches her sympathies and alarms her terrors, and makes each act of his interposition subservient to the great purposes of riveting his grasp upon her mind, of deepening upon the minds of others the impression that he sways her, and of making his wild attachment a reality at least to the rest of the world, though she remains impenetrable, and, when she dares, indignant at his avowals. But her indignation is ever followed by the lassitude of that leisure to which the close engagements of her husband in politics give occasion, and that lassitude demands the stimulus which his conversation affords. He even uses to her the threat which he had applied to the old woman Traey: he declares he will desert his innocent and saintly wife, now on the eve of her confinement, whom Ellen had never ceased to love, (for amidst her wanderings she at no time lost the faculty of appreciating excellence,) unless she undertakes, at least, to "respect" his feelings: and in another of her fatal hours she writes, "do not go, I implore you. I forgive, and will bear with you."

And Alice becomes so far alive to this strange intimacy, that her mind bursts its former boundaries ; she is impelled to read and learn more of the life and the society in which she finds her own lot is cast : she remains incorrupt, but her spirit is no longer the unclouded region, which evil thoughts have never so much as traversed : the character of her self-consciousness is modified, “in the expression of her countenance, what once was peace had become composure ; and in her character, what had been only simplicity had grown into reserve⁶.”

All the substance of love between Edward and Ellen remains ; but he sternly notices the shortcomings and inconsistencies by which his wife falls below the ideal he had framed, and his nature does not well brook submission to that law which brings the dreams of life down to its realities ; while, on her part, the sentiment of fear, though it never generates the smallest degree of even momentary aversion, yet checks the free current of her fondness. But by degrees his suspicions are aroused : not by Lovell’s device, but through the intermediation of Mr. Escourt, the genuine villain of the tale, that is to say, a thorough-paced man of the world, armed at all points offensively and defensively in hardened self-love. A drive with Lovell, accidental on her part, which accident also prevented her from naming to her husband at the proper moment, brings these apprehensions nearly to a crisis : but he is summoned away to visit their uncle, Mr. Middleton, who had gone to travel abroad, in a very dangerous illness ; and he leaves her, after an agitated conversation, with an embrace, in which strong mistrust was stifled, and only just stifled, by stronger love. He writes to her a letter of bitter reproach, interpreting what arose from her dependence upon Henry and her fear of his power, into the clear signs of guilty passion : he absolutely forbids her to explain her conduct ; enjoins the total abandonment of intercourse with Henry, and commends her to penitence and hope. The notes which she had written to Lovell, with objects totally different, have been stolen from him and forwarded to Edward, and are now inclosed in his letter. The evidence against her, as she says, was to an ordinary mind overpowering ; but she is represented with admirable truth as suffering less inconsolably when her love, which had remained “pure, sacred, and entire⁷,” was thus wrongfully impeached, than when the necessities of her condition seemed to compel her to live a life of falsehood. Hope flashes upon her in the idea of confession ; but she recoils at the thought of her oath to Lovell, never to confess to her husband. Bewildered with

⁶ Vol. iii. p. 63.

⁷ Ibid. p. 125.

remorse in so many forms, she does not dare to add another spectre to the crowd that haunt her conscience. But she buries herself in entire solitude, in order that, according to his command she may avoid seeing Lovell; and she endeavours to obtain a letter of release from her engagement. No answer comes. Meanwhile Alice, not yet recovered from her confinement, asks Ellen to visit her; and with earnestness, but not bitterness, upbraids her as the enchantress that absorbs the soul of her husband.

"I hid my face in her hands, overcome by the force of Alice's words and unable to meet the searching power of her glance. There was long, deep silence between us, and then I rose to go; and said to her I did so, with my eyes fixed on the ground, 'You pray for your enemies; pray for me. You pray for those who suffer in body and mind; pray for me. You may never learn how right and how wrong you have been to-day; but you cannot be wrong in praying to God for me, for He has vexed me with all his storms, all his waves have gone over me, and I am well nigh overwhelmed. My only hope is in the mercy of one who has never yet shown mercy either to you or me.' She left her; and never again have I seen that angel face, that pale and blighted form, or heard the accents of her low and solemn voice: but if there is a saint who pleads for me on earth, or an angel who intercedes for me in heaven, it is she whose life I have blighted, and whose heart I have broken."—vol. iii. p. 143.

Presently she is apprised of her uncle's death, and of her husband's immediately approaching return. While she holds the letters in her hand, Henry, having at length obtained admission to her house, enters the room. She rouses her lion spirit, declares that they must part, and defies his vengeance; and then, as he begins to bend beneath her force, she falls on her knees to complete the work of overcoming him. The demon of his pride reacts, and he grows hardened in the exultation of seeing his idol at his feet. She pleads more and more earnestly for release from her rash vow. Edward opens the door, and horror-struck, without a word quits his house, and a short note apprises her that they have parted for ever—that he will never see her again, or hear her name pronounced. She recoils with loathing from the proposal of Henry Lovell, who has fulfilled his threat of deserting his wife, and writes to Ellen in frenzied ecstasy, pointing to the accomplishment of his always lawless, and now accursed passion, but racked already by the protracted inward agony of her conscience, smitten on all sides by the message of Death, by the upbraiding of Alice, by the tyranny of Henry, and finally stunned by the final and gigantic stroke of her husband's iron sentence, the wild hopelessness of sorrow, she flies from her home, and as

nameless traveller makes her way to the city, where at first we found her ; where she seeks a shelter, of which the perfect obscurity constitutes to her not indeed a charm, but a recommendation, and where she resolves to exhaust the remainder of a life whose sword had been too sharp for the scabbard, and whose flame she found was now wasting fast away. Thus the proud spirit finally abandons the conflict it had so long sustained ; but the blow that crushes heart and hope is severe and awful, in proportion to the tension and to the duration of the previous resistance, and it only remains to her to hide from shame the sorrow that, until she has found the secret of heavenly peace, she cannot cure. Thus it is that youth, beauty, and genius, acute susceptibility, ardent imagination, profound and concentrated powers of affection, can do nothing for the progress, nothing for the bliss of a human being, *without the central support of a heavenly purpose, but waste the odour of their blossoms on the passing winds, and then shed on the common earth beneath them their blasted and untimely fruit.* And well and truly does she know, that the spirit that is dislodged from the palaces of this world has not therefore found a home in God : she has indeed abated the pitiless beating of the storm, she lays the spirits of evil that torment her, she vaguely soothes the paroxysm of pain by the “awful silence” of the cathedral, and the “low chaunting of the choir :” but still, as she recounts, “The curse of Cain follows me, and his words of complaint are ever upon my lips : ‘my punishment is greater than I can bear’^s.”

The day, however, came of confession and of peace. Lovell vindicated the reality of his frightful passion : he was seized with a fever, which attacked the brain and put a period to his life ; but not until by a great effort he had collected his powers to put upon record, as the testimony of a dying man, Ellen’s innocence of the imputed crime, and her constant repulsion of his passion : nor until in that calm,—the calm of exhaustion alone, which intervened between delirium and death, he had intimated to his wife that his heart was touched with the thought of the Redeemer, and had so marked with a faint and weak ray of hope the pathway of his descent into the grave.

With the greatest difficulty, Mr. Lacy, as the bearer of Ellen’s confession and of Lovell’s testimony, makes his way into Edward’s presence, and forces him to hear the assertion of her innocence. And now Edward himself is torn by the violence of contending feelings, yet his rigid soul does not wholly relent until he hears the next day that Lovell is dead. He then repairs to the place of his

wife's abode, and brings her home. His affections are restored to her, but his earthly hopes can bloom no more. Her spirit has been too deeply racked and torn to recover its tone in this life, or by any change less than that which ushers in the new life of eternity. The restored flow of fondness seems for a time to revive her, but the reaction is only of a moment: having, however, resolved to purge her breast, she pursues that purpose with a noble energy; she makes the confession before those she loves, which she had already imparted to Mr. Lacy, and then sinks into a tranquil death. But we can do no justice to the exquisite beauty of these closing scenes: to their profound and moving tenderness as a delineation of human affection, and to the fidelity with which they represent the soothing and hallowing power of the ordinances of Christ upon the smitten and humbled spirit.

We have devoted many words to giving what is, after all, a most contracted and imperfect sketch of this remarkable book. For it is, after all, a book, that to be appreciated, must be known in its details, in its eloquence and pathos, in the delicacy and fineness of its delineations of passion, in its always powerful, and as we think generally true, handling of human action and motive, grounded not upon analysis, but upon that intuition, which, as applied to character, seems to be so specially, and almost exclusively, the possession of the mind of woman; in the healthfulness of moral principle that sustains it, in the singleness of idea and purpose that pervades it from first to last. It is unnecessary, perhaps, to add the meaner praise of fidelity in the picture of social life and its varied, we might rather say variegated, movements, and yet this too was obviously requisite in order to produce the general effect. But it is a rare pleasure to find the mastery of all human gifts of authorship so happily combined, with a clear and full apprehension of that undying faith in its Catholic integrity, by which the human race must ultimately stand or fall.

There are indeed, perhaps, places where exception may be taken to the precise form of expression which has been adopted; as for example, in the very beautiful passage where Ellen refers to the case of her who loved much because she had been forgiven much, and imagines her own surrender of all things to follow the Redeemer, and its being said to her 'do this and be forgiven;' we think that on reconsideration the authoress would see that the expression is a hazardous one, and seems to invert the order in which the grace of pardon and the grace of holy service are conferred upon men; and of the prototype of Christian penitents whom she cites, it is recorded not that she loved much and therefore was forgiven much, but that she was forgiven much

and therefore loved much. 'But it is not our part to teach one, whom in this work we gladly recognize as a teacher, and who, as we believe, has taught to one more and to another less, but something to all her readers.

We are, however, tempted to notice what appears to us a twofold incongruity in the matter of the unhappy oath, upon which turns finally the arrival of the catastrophe. It is hardly consistent with the power of Ellen's mind, that she should not have seen how entirely it lay in her own discretion to release herself from an obligation evidently sinful, and in which no other person but herself had a right to claim an interest. Had the question concerned the revelation of a crime of Lovell's, it would of course have stood differently. Nor do we think sufficient ground is shown for her original submission to that oath, to bring it into keeping with the general story. For Henry Lovell, in point of fact, offers her nothing in return for so extraordinary a demand: and these powerful spirits are too equally matched in conflict, to allow of any thing in the nature of abject concession from the one to the other, without violating the idea of their characters and relative position. But we will resume our general view.

A narrative can scarcely be otherwise than moving, in which we see the blossom of rare promise nipped before it reaches maturity; every such tale may in some sense be thought to have its moral, as it must convey a lesson of the vanity of human things. But how small, how elementary a doctrine, what a mere fragment of the truth ordained for man's recovery, is that which seems to be the climax and consummation of some of the prevailing systems of morality. To land, after a life's bitter experience, in this vacancy and desolation, is not the destiny appointed for us; to fold our arms in that which is called resignation, and which often means no more than not preventing what we are not able to prevent: to begin to learn that our devices are vain, when the very last of their whole series is shattered to atoms, and to make the discovery that we cannot lay hold on happiness, at the time when it has already utterly and far escaped from our grasp; all this is but a sorry tale, and one would say not well worth the telling. It is piteous, indeed, to see the flowers of hope, be they what they may, ruthlessly cut away, and compassion may be stirred by the narrative; but what avails the raising of barren emotions which lead to no genuine effort, to no healthy result, and which, on the contrary, rather inflate the mind with a conceit of imaginary virtues, and at the same time debilitate it for the work of acquiring them?

There is, however, a class of works of a higher order, in which,

though they may not lead us, or may only lead us by some forced and sudden turn, (and one therefore not well serving for example,) to Him who is our home,—some heart of high capacity for weal or woe, having conceived a profound sentiment of love, and having so fed that passion as to absorb into it all its strength and substance, then when it has been shipwrecked droops and dies along with it. Such is the love of Lucy Ashton for the Master of Ravenswood ; such, too, although we apprehend drawn with less fidelity to general nature, is the love of Corinne for Oswald. What tears up the plant, tears up the soil along with it : the chords that have vibrated intensely to a master-note, remain, when that sound ceases, silent for ever. These are not mere flat recitals of the doctrine of the vanity of the world. They teach us a great lesson of our nature : its capacity for projecting itself from itself, for finding the end of life in another, and not in that middle point of self, where sin has placed it, and where more sin would irrevocably fix it. Whatever is devoted, whatever teaches that our nature finds its best and highest law of being beyond the narrow bounds of our own individuality, does at least advance us by one stage from earth towards heaven, and leaves us only further to learn who it is that claims to be, and is, the truest, and the noblest, and the most ennobling object of our affections.

But undoubtedly it is the just end of all serious fiction to lead us to the same only point whither other forms of true teaching should conduct us. Let us not suppose, because the dislocated faculties of man deviate from their appointed sphere of operation, that there is therefore a real discrepancy between them, or that they are not all fellow-workers, though in different modes and classes, yet ever in the same wide field of truth, and for the purpose of contributing to the same great work of human restoration. This, and nothing less than this, is the aim of the production now before us. It makes us watch with sorrow the free will of a creature nobly formed, weaving for itself, by a process which at length has almost the certainty of mechanism, the toils in which she is afterwards, in despite of her best efforts, to be held captive as a mark for the huntsman ; and it is in the work of her own unhappy hands that, at length, her feet are set so fast that she cannot get forth. It makes us learn, and learn with pungency, how unconfessed and unrepented sin, borne about within the bosom, stifles its seeds of life, thickens its inward atmosphere, changes into darkness that which was its light. To whom of us all is this not a lesson ? Where is the happy being, into all the chambers of whose soul the light of day continually and freely flows, who has no “ blank misgivings ” of deceit towards others, of fraud

upon himself? who does not feel that he has spread a film over the eye planted in him for self-knowledge? who instinctively refuses lodgment to a sin, and expels it by confession, even as he would drive a scorpion from his breast? To some, again we say, the voice of this work will be a piercing one; but to all, we believe, it must be audible.

And this reminds us of a frivolous objection: it has been somewhere surmised, as of most other things in this day of reckless fancies, that if the representations of this book be just, we ought to return to the Church of Rome. No! but if they be just, then indeed we ought to return to the Church of England. We ought to remember her solemn admonitions of repentance; her constant witness in favour of holy discipline for the souls of her children; the heavy responsibility of self-examination and self-judgment which she throws upon them, the means of authoritative support, of consolation ever divine, though ministered through the weakness and foolishness of a fleshly organ, to which she habitually points the way as their meet refuge, if they shall not of themselves suffice to the discharge of that awful duty. Yes, we have, as a nation and as individuals, a long and weary path to traverse before we attain to the level of that practice which the injunctions of our own yet living and speaking mother require. When we have reached it, we may find that we have passed by the point to which belongs the system of auricular confession: that it is at the very best but a particular form of a far broader Christian duty, and that it has fatally altered its character when it either becomes a perfunctory and technical substitution for that work of self-government which no man can perform for another, while so few, alas! will perform it for themselves; or when it makes the priest the proper and sole depositary of sins, which duty required to be more especially confided to persons immediately affected by them. For example, in the case of *Ellen Middleton*, it was clearly her part to have made known her agency in the death of Julia to the parents of the child; and we are persuaded that the great battle now to be fought with the pride, and selfwill, and false shame that reign within us, is not upon the question to what person confession shall be made? but upon this other and anterior question, whether confession has a legitimate and regular place at all in the Christian duty of repentance; or whether general words addressed to a God whose presence perhaps we have never realized, and in whose eye we too rarely and too weakly feel the painfulness of shame, form the entire and sufficient exercise of the Christian soul in this portion of its training for eternity?

Again; some, we understand, complain of the improbability of

the concealment, which is the fountain-head of Ellen's misfortunes. Now we do not stop to inquire, whether such a circumstance has or has not occurred in actual life, because that would be joining an irrelevant issue. The term probability, as applied to works of the imagination, is a very defective one; for its signification, when so used, is something very different from its proper sense, which we take to be, pretty nearly, the result of the mathematical doctrine of chances. But we ask those who are startled by this objection, to watch minutely the course of the narration; and then to state at what point it is that, according to their notion of probability, the authoress ought to have made Ellen Middleton inform against herself. We make this demand, because where weighty results, that have arisen from small beginnings, are regarded in the gross, they look improbable; but when we examine the detail we find each part is in keeping with fundamental laws, and therefore the whole is so likewise. Just as many great works of architecture may look airy and insecure to the distant spectator, while those who have investigated the parts of the structure, and successively considered their relations, will know them to be otherwise. And we have not yet heard a case in any manner made good, to show that there is a serious flaw in the moral continuity of Ellen Middleton's conduct, or consequently to impeach the results to which it leads; to impeach them, of course we mean, as regards their due subordination to the law of probability. But if this be so, then the circumstance that we are startled by mentally comparing the minuteness of the original cause with the magnitude of the final effect, may be rather in the nature of a presumption in favour of the skill and power of the work, than of proof against it.

Again; it has been said that the characters of the book are unamiable: that Edward is too stern and hard; that Alice is too still; that Ellen repels more than she attracts. But it is no reproach to the painter, if, instead of daubing his canvass with masses of colour, cold and warm, in violent contrast, he follows nature in the inexplicable blending of her myriad shades. Alas! the ancient legend of those two caskets upon the floor of the palace of Jove,—the one full of evils only, the other of plagues mixed with blessings: how sadly and truly does it correspond with the actual picture of the human heart at large. What deep, and to human eyes unrelieved, shadows of evil in the bad; what strange irregularities, what latent corruption of motive even where acts are laudable, what fearful conflicts of antagonist principles in those wrought from the better clay, and what alternations in the prospect of their final issue! That deceit and pride, as well as anger, can dwell in breasts framed to be capable of the

noblest things ; that the most burning love is often fed, not by the fond desire to grow to and assimilate what is loveworthy, but by the lust of power and the exorbitance of vanity, ready to turn to tyrannous oppression ; that the very rigour with which virtue is grasped becomes a snare to man, when inflexible judgments are based upon fallible perceptions and imperfect knowledge : to develop truths like these, that have in varying degrees a close practical relation to the daily lives of us all, is the work of a higher vocation, and of a more accomplished artist, than to deal out vices and excellencies wholesale, and working only by means of the brutal or the heroic, to avoid that intermediate region in which we live and learn. Nor will the readers of *Ellen Middleton* find that in its pages fascination is cast around the indulgence of morbid tempers, or the phantoms of goodness decked out in the praise which belongs to its reality ; but the lines of truth and righteousness are faithfully and severely drawn, and the eternal march of the Divine law of retribution forms the fundamental harmony of the book.

It may seem strange in concluding these remarks, not to express an unqualified anxiety again and speedily to meet Lady Georgiana Fullerton in the walks of literature. But the writer of the work before us, has given to the public, and likewise has given to the Church, an interest in her reputation : and a first achievement of scope and dimension such as this, while it necessarily inspires a lively interest in those which may follow it, likewise suggests the hope that neither brilliancy of success, nor the ardour of a mind flushed with the glow of recent exertion, nor the benevolent and pious desire to strike another stroke for the sake of truth and human happiness—may tempt her to do injustice to herself by diminishing either the energy or the labour which may be requisite in order to sustain the character of any future effort. But we think that all those who desire to see even the lighter weapons of human influence, or those which are commonly esteemed to be such, wielded for the welfare of man and for the glory of God, will invoke blessings upon the career of one, who dedicates no common gifts of mind to the advancement of those high purposes, and will long for the day, when the principles of belief and conduct which she labours to enforce shall have free course, as among the community at large, so especially in those stations of especial power and peril, to which she belongs by birth and rank, and which she thus adorns by genius and by devotion.

NELDA: A ROMANCE.

TRANSLATED FROM GROSSI. (*Marco Visconti*, i. pp. 276—83).

AS the rose, when May with dews
And sunlight feeds its earliest age,
Such was young Folchetto, page
To Raymond of Toulouse:
In feats of arms brave, skilled, and strong:
A master and a child of song.

One, that on some festal day
Hears him thunderlike advance
O'er the lists with poised lance
On his barb of dapple gray;
With strong St. George would match his might,
To whom the dragon quailed in fight.

Then if to a mournful lay
He yields his streamlike voice, and sings,
Flaxen locks in thousand rings
Down his throat of silver play:
Touching thee with wonder's dream,
Like an angel he shall seem.

Every boldest lord in arms
Longs for him, his court to grace:
Every fair Provençal face
Wastes in sighs for him its charms:
The faithful page two only move—
His chieftain, and his lady-love.

Nelda was the child adored
(Black her eyebrows, black her hair,
Her cheek as ivory's whiteness fair,)
Of a Salamancan lord.
All Toulouse's court displayed
Lovelier none nor haughtier maid.

Yet the youth's adoring pain
Masters not her pride, nor sways:
'He is of the herd,' she says
Inwardly and with disdain:
'The baron's child must never, no,
Stoop to fix her heart so low.'

Mourns the page in loving moan,
Night and day upon the strings:
His *cobla* and *sirventa* sings,
Sings for her and her alone:
Essays the quintan game amain,
And shivers lances, all in vain.

Like a flower within the glade
Languishing, he droops apace:
Wanness overspreads his face,
And his hues of beauty fade,
And the fire of his blue eyes
By little and by little dies.

And yet he lives : for Raymond poured
 Rich bounties o'er him like a son :
 Girded him with knightly sword,
 Chose him Count of fair Narbonne :
 And 'take thee for thy wife,' he said,
 'The lovely and the haughty maid.'

Through Toulouse, from its forts and its fields,
 Swarms an armament mighty and proud ;
 For Raymond of Provence had vowed
 To visit a rebel with pains.
 No baron, no city, but yields
 The tribute of faith to its head ;
 Man and horse to Antibes they have sped ;
 With their tents they have whitened its plains.

To Folchetto that rode by his side
 Spake Raymond with tenderest care :
 'Why ever so mournful ? the fair
 Thou desirest, thou soon shalt receive :
 Already to bring thee thy bride
 My messenger hies to Narbonne :
 I have parted the fond ones too soon,
 And with thy faithful grieving I grieve.'

'Tis the day that his Nelda should come,
 And another, another, succeeds,
 And a fourth ; and yet tarry the steeds,
 And his loved and his longed for, she stays :
 The uproar of battle is dumb,
 The banner of treason is low :
 To his true dapple gray he must go,
 Nor for leave nor for love he delays.

Unto sunset he journeys alone
 By the way to the home of his heart :
 To a village then verges apart,
 That amidst the gray olives ascends.
 Where beneath a mean hostelry moan
 The billows, and burst in their might,
 Lo ! a woman, that weeps in his sight,
 And her gaze over Ocean she bends.

By the beauty her gestures display
 It is she, by her garb, by her face :
 He trembles approaching the place—
 It is Nelda, he knows it too well :
 He abandons his steed on the way—
 He darts to her, thrilled with suspense—
 'What, my bride ? and oh wherefore ? and whence
 In tears and in loneliness, tell ?'

With hair dishevelled, pale,
 Yet resolute the while,
 Her tremulous lips unfolding
 A cold and haughty smile,
 She bends on him her eyes :
 'Hold off, and hear,' she cries.

' In me thou didst disgrace
 The blood of many a sire :
He could not mend thy race
 That picked thee from the mire ;
 The villain lord, that gave
 My hand to be thy slave.

' The injury, the shame,
 My spirit might not bear :
 I yielded up to blame
 My slighted form but fair,
 For vengeance, proud delight,
 Unto a British knight.

' By him I was betrayed ;
 And, to a sudden sound,
 I sprang from sleep dismayed,
 And saw the sails unbound,
 And the traitor with the breeze
 Escaped along the seas.

' Twice have I seen the sun
 Arise, and twice descend,
 While o'er these shores unknown
 My sad stray steps I bend,
 A finger-pointed show
 To them that pity woe.

' And what remains ? for grace
 Shall I, a suppliant, go
 Before thy scornèd face ?
 I am not yet so low :
 But tell my sire, and fly,
 That thou hast seen me die.'

She springs from air to earth,
 And from the earth again
 She plunges with a leap
 Down headlong in the main :
 Along with ocean's sigh
 He heard a fall, a cry.

The senseless rocks they tore
 Her fair and tender limbs :
 They sank, they rose no more :
 But yet her white veil swims,
 And the circling waters glowed
 With the deep tint of blood.

No tear bedews
 His cheek so sad ;
 In black steel clad,
 Such as he stands,
 So mute, so lone,
 Along the sands
 He wends his way :

The winds they murmur,
 The waves are white :
 He strains his sight
 Toward the strand
 From his boat-side,
 To the fair loved land
 He left to-day.

Mid northern clouds
 Borne far and fast,
 Lo! now at last
 His journeyings cease:
 He finds the knight
 That robbed his peace,
 On Albion's shore.

They sweep the plain,
 They point the lance;
 In swift advance
 Together dash
 Their wrathful steeds
 As lightnings flash:
 One rose no more.

Then both unsheathed
 The thundering sword,
 And thickly poured,
 On helm and shield,
 Their echoing strokes
 In cruel field
 Of rivalry.

His pantings held
 Within his breast,
 Folchetto prest
 His traitor foe,
 And pierced his heart
 And laid him low
 With savage glee.

Pale, deadly pale,
 Yet telling still
 Of threat and ill
 His caitiff face:
 And with his hand
 Upon the place
 He reeled, and died.

The conqueror sheathed
 His reeking sword:
 Looked on the lord
 That slaughtered lay,
 Yet not with glance
 Or proud or gay
 His victim eyed.

Fast by the farthest bound of Spain,
 And on a mountain's broken seat,
 Whose base is washed in yonder main
 That fronts green Provence, a retreat
 Of sainted Bruno meets the winds:
 There few and chosen souls on high
 Wild roots and herbs for diet share:
 Deep hoods conceal the earthward eye;
 The painful haircloth that they wear
 No power but only Death unbinds.

The stricken bell with clangour makes
 The arches of a vault resound:
 Each downcast monk in silence takes
 His place a newmade grave around,
 Each one his brother sadly cying.

But who is he, on earth laid low,
With arms across upon his breast ?
The torchlight flickering to and fro
Upon his features, tells the rest :
The Lord of fair Narbonne is dying.

White white his ample beard, like snow,
Flows down his tunic's belt beneath.
And, heaving, now ascends, and now,
Subsides with his alternate breath.
As foam upon the billow sways :
'Mid the chaste thoughts of that last hour,
Within his aged soul serene,
One rebel image darts with power,
The image of that awful scene
That length of years could not erase.

Even as he saw her on that day,
Her dark hair streaming to the gale,
He sees her still around him stray,
Dissolved in tears, with visage pale
Yet fair, his bride of faithless breast :
Oh ! aged saint ! and dost thou pour,
Still pour the bitter hidden tear ?
What ails thee ? Ah ! I doubt no more :
Thy fondly loved shall not appear
Among the spirits of the blest.

W. E. G.



INAUGURAL ADDRESS

DELIVERED BEFORE THE

UNIVERSITY OF EDINBURGH,

APRIL 16th, 1860.

BY THE

RT HON. W. E. GLADSTONE, D.C.L., LL.D.

RECTOR OF THE UNIVERSITY OF EDINBURGH, AND M.P. FOR
THE UNIVERSITY OF OXFORD.



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PRINCIPAL, PROFESSORS, AND STUDENTS OF
THE UNIVERSITY OF EDINBURGH.

I cannot estimate lightly the occasion on which I meet you, especially as it regards the younger and the larger part of my academical audience. The franchise which you have exercised in my favour is itself of a nature to draw attention; for the Legislature of our own day has, by a new deliberative Act, invested you, the youngest members of the University, with a definite and not inconsiderable influence in the formation of that Court, which is to exercise, upon appeal, the highest control over its proceedings. This is a measure which would hardly have been adopted in any other land than our own. Yet it is also one, in the best sense, agreeable to the spirit of our country and of its institutions; for we think it eminently British to admit the voice of the governed in the choice of governors—to seek, through diversity of elements, for harmony and unity of result, and to train men for the discharge of manly duties by letting them begin their exercise betimes.

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You have chosen, gentlemen, as your own representative in the University Court, one widely enough separated from you in the scale of years ; one to whom much of that is past, which to you is as yet future. It is fitting, then, that he should speak to you on such an occasion as that which unites us together—namely, the work of the University, as a great organ of preparation for after life ; and that, in treating of what constitutes the great bond between us, he should desire and endeavour to assist in arming you, as far as he may, for the efforts and trials of your career.

Subject to certain cycles of partial revolution, it is true that, as in the material so in the moral world, every generation of man is a labourer for that which succeeds it, and makes an addition to that great sum-total of achieved results, which may, in commercial phrase, be called the capital of the race. Of all the conditions of existence in which man differs from the brutes, there is not one of greater moment than this, that each one of them commences life as if he were the first of a species, whereas man inherits largely from those who have gone before. How largely, none of us can say ; but my belief is that, as years gather more and more upon you, you will estimate more and more highly your debt to preceding ages. If, on the one hand, that debt is capable of being exaggerated or misapprehended—if arguments are sometimes strangely used which would imply that, because they have done much, we ought to do nothing more ; yet, on the other hand, it is no less true that the obligation is one so vast and manifold that it can never as a whole be adequately measured. It is not only in

possessions, available for use, enjoyment, and security; it is not only in language, laws, institutions, arts, religion; it is not only in what we have, but in what we are. For, as character is formed by the action and reaction of the human being and the circumstances in which he lives, it follows that, as those circumstances vary, he alters too, and he transmits a modified—it ought to be also an enlarged and expanding—nature onwards in his turn to his posterity, under that mysterious law which establishes between every generation and its predecessors a moral as well as a physical association.

In what degree this process is marred, on the one hand, by the perversity and by the infirmity of man, or restored and extended, on the other, by the remedial provisions of the Divine mercy, this is not the place to inquire. The progress of mankind is, upon the whole, a chequered and an intercepted progress; and even where it is full formed, still, just as in the individual, youth has charms that maturity under an inexorable law must lose, so the earlier ages of the world will ever continue to delight and instruct us by beauties that are exclusively or peculiarly their own. Again, it would seem as though this progress (and here is a chastening and a humbling thought) were a progress of mankind, and not of the individual man; for it seems to be quite clear that whatever be the comparative greatness of the race now and in its infant or early stages, what may be called the normal specimens, so far as they have been made known to us, either through external form or through the works of the intellect, have tended rather to dwindle—or at

least to diminish, than to grow in the highest elements of greatness.

But the exceptions at which these remarks have glanced, neither destroy nor materially weaken the profound moment of the broad and universal canon, that every generation of men, as they traverse the vale of life, are bound to accumulate, and in divers manners do accumulate, new treasures for the race, and leave the world richer, on their departure, for the advantage of their descendants, than, on their entrance, they themselves had found it. Of the mental portion of this treasure no small part is stored—and of the continuous work I have described no small part is performed—by Universities; which have been, I venture to say, entitled to rank among the greater lights and glories of Christendom.

It is, I believe, a fact, and if so, it is a fact highly instructive and suggestive, that the University, as such, is a Christian institution. The Greeks, indeed, had the very largest ideas upon the training of man, and produced specimens of our kind with gifts that have never been surpassed. But the nature of man, such as they knew it, was scarcely at all developed; nay, it was maimed, in its supreme capacity—in its relations towards God. Hence, as in the visions of the prophet, so upon the roll of history, the imposing fabrics of ancient civilization never have endured. Greece has bequeathed to us her ever-living tongue and the immortal productions of her intellect. Rome made ready for Christendom the elements of polity and law; but the brilliant assemblage of endowments, which constitutes civilization, having no root in itself,

could not brook the shocks of time and vicissitude ; it came and it went ; it was seen and it was gone :—

Hunc tantum terris ostendent fata ; neque ultra esse sinent.

We now watch, gentlemen, with a trembling hope, the course of that later and Christian civilization which arose out of the ashes of the old heathen world, and ask ourselves whether, like the Gospel itself, so that which the Gospel has wrought beyond itself in the manners, arts, laws, and institutions of men, is in such manner and degree salted with perpetual life, that the gates of hell shall not prevail against it? Will the civilization, which was springing upwards from the days of Charlemagne, and which now, over the face of Europe and America, seems to present to us in bewildering conflict the mingled signs of decrepitude and of vigour, perish like its older types, and, like them, be known thereafter only in its fragments ; or does it bear a charmed life, and will it give shade from the heat and shelter from the storm to all generations of men?

In any answer to such a question, it would perhaps be easier to say what would not than what would be involved. But some things we may observe, which may be among the materials of a reply. The arts of war are now so allied with those of peace, that barbarism, once so terrible, is reduced to physical impotence ; and what civilized man has had the wit to create, he has also the strength to defend. Thus one grand destructive agency is paralyzed. Time, indeed, is the great destroyer ; but his power, too, is greatly neutralized by printing, by commerce which

lays the foundations of friendship among nations, by the ease of communication which binds men together, by that diffusion of intelligence which multiplies the natural guardians of civilization. These are perhaps not merely isolated phenomena. Perhaps they are but witnesses, and but a few among many witnesses, to the vast change which has been wrought, since the advent of our Lord, in the state of man. Perhaps they re-echo to us the truth that, apart from sound and sure relations to its Maker, the fitful efforts of mankind must needs be worsted in the conflict with chance and change; but that, when by the dispensation of Christianity the order of our moral nature was restored, when the rightful King had once more taken his place upon his throne, then, indeed, civilization might come to have a meaning and a vitality such as had before been denied it. Then, at length, it had obtained the key to all the mysteries of the nature of man, to all the anomalies of its condition. Then it had obtained the ground-plan of that nature in all its fulness, which before had been known only in remnants or in fragments; fragments of which, even as now in the toppling remains of some ancient church or castle, the true grandeur and the ethereal beauty were even the more conspicuous because of the surrounding ruins. But fragments still, and fragments only, until, by the bringing of life and immortality to light, the parts of our nature were re-united, its harmony was re-established, our life, heretofore a riddle unsolved, was at length read as a discipline, and so obtained its just interpretation. All that had before seemed idle conflict, wasted energy, barren

effort, was seen to be but the preparation for a glorious future ; and death itself, instead of extinguishing the last hopes of man, became the means and the pledge of his perfection.

It was surely meet that a religion aiming at so much on our behalf should, in its historical development, provide an apparatus of subsidiary means for the attainment of its noble end far beyond what man in earlier days had dreamed of. To some of the particular organs formed in this apparatus for carrying man upwards and onwards to the source of his being, I have already adverted. Read in the light of these ideas the appearance of the University among the great institutions of Christian civilisation is a phenomenon of no common interest. Let us see whether, itself among the historical results of Christianity, it does not vindicate its origin, and repay, so to speak, the debt of its birth, by the service that it renders to the great work of human cultivation.

I do not enter, gentlemen, into the question from what source the University etymologically derives its name. At the very least, it is a name most aptly symbolizing the purpose for which the thing itself exists. For the work of the University as such covers the whole field of knowledge human and divine ; the whole field of our nature in all its powers ; the whole field of time, in binding together successive generations as they pass in the prosecution of their common destiny ; aiding each to sow its proper seed and to reap its proper harvest from what has been sown before ; storing up into its own treasure-house the spoils of every new venture in the domain of

.

his advancement and improvement, all undertakings, all professions, all arts, all knowledge, all institutions are subordinated as means and instruments to their end.

The old and established principle was that the University had its base in the Faculty of Arts; *Universitas fundata est in artibus*. It was not meant by this maxim that the Faculty of Arts was to have precedence over all other faculties, for this honour was naturally and justly accorded to Theology; both, we may suppose, because of the dignity of its subject-matter, which well may place it at the head of all human knowledge, and because it was, so to speak, in possession of the ground, and in the exercise of very powerful influence, at the period when the less organized institutions for teaching began to develop themselves into their final form of Universities. But the University was founded in the principle of universal culture; and the name Arts was intended to embrace every description of knowledge that, rising above mere handicraft, could contribute to train the mind and faculties of man. To say, then, that the University was founded in Arts, was to assert the universality of its work. The assertion was not less true, nor less far-sighted, because those who first made it may not have been conscious of its comprehending more than the studies of the *trivium* and the *quadrivium*, which included grammar, rhetoric, logic, arithmetic, music, geometry, and astronomy. This catalogue is indeed a brief one, as compared with the countless branches of modern study; yet within its narrow bounds it contains in principle, at the

least, the philosophy of speech, the philosophy of the mind, the mathematical sciences, pure and mixed, and the Fine Arts. It is both more easy and more rational, all circumstances taken into view, to admire the vastness of the conception of the University, than to wonder that it was at first but partially unfolded and applied.

The sincerity, the sagacity, the energy of purpose, with which the old Universities were designed and organized may be discerned, as in other ways, so by the progressive expansion of their studies. The Roman law, after remaining long almost forgotten, became known anew to Europe; and, as it grew to be a study, the Universities provided for it with their faculty of laws; and with those degrees, Principal and Professors, which call this day for my grateful appreciation. Again, when the final triumph of barbarism at Constantinople compelled Greek learning to seek a home in the west, provision began to be made forthwith in Universities for its reception. I think my distinguished brother, if I may presume so to call him (Professor Mansell), could tell us that one of the first of those foundations was made in the very College at Oxford which he himself adorns. And the study, of which Greek learning is the main and most fruitful as well as the most arduous part, made its way under the well-deserved name of Humanity, to the very head of the Faculty of Arts. When in all physical science man, guided in no small degree by our own illustrious Bacon, became content (in Bacon's language) to acknowledge himself only the servant and interpreter of Nature, and to walk in the paths of patient observation,

the ground was laid first for that Faculty of Medicine, which has attained in the University of Edinburgh to a distinction destined, I hope, to be as long-lived as it is without doubt extraordinary. We can hardly expect that human institutions should, without limit of time, retain the flexible and elastic tissues of their youth; and Universities in particular, as they have grown old and great, have come to interlace at many points with the interests and concerns of that outer world which has but little sympathy with their proper work: or they might have displayed at this day an organization as complete, relatively to the present state of knowledge and inquiry, as was that which they possessed some centuries ago.

The older history of the Universities of Europe not only presents many features of the utmost interest, but upon the whole inspires satisfaction and challenges praise from the impartial observer.

I might detain you long, gentlemen, upon the various kinds of good they did, and I might search long without discovering any characteristic evils to set down against it. What the castle was to the feudal baron, what the guild was to the infant middle-class, they were to knowledge and to mental freedom; nor was it only that from them local culture received local shelter, and enjoyed through them an immunity from the assaults of barbarism in its vicinity: they established, so to speak, a telegraph for the mind; and all the elements of intellectual culture scattered throughout Europe were brought by them into near communion. Without a visible head, or a coercive law, or a perilous tendency to aggression, they did for

the mind of man what the unity of the Roman Church aimed at doing for his soul. They did it by the strong sympathy of an inward life, and by a common interest and impulse, almost from their nature incapable of being directed to perverse or dangerous ends. Indeed, it was not in their nature to supply the materials of any combination formidable to other social powers acting each in its proper sphere, for they were on every side watched by jealous interests, and kept at once in check and in activity by competition. The monasteries for the Church, and the legal and medical professions with their special establishments of education, as they were matured in after times, prevented an undue ascendancy ; while in these seats alone there was supplied that good preservative against excess and disorder, that human knowledge was in them regarded as a whole, and its various branches had, from their very neighbourhood, better definitions of their proper provinces, and of their mutual relations. In whatever light we view them, there was a completeness in the idea and work of Universities, in proportion as their proper development was attained, which may well excite our wonder. They aimed alike, as we have seen, at the preservation of all old learning, and at the appropriation of all new. They bound themselves to prosecute alike those studies which fit men for the professions and the daily needs of life, and those which terminate upon man himself, whether by the investigation of truth or by the pursuit of refinement. They bore, and indeed they still bear, a character at once conservative and progressive. If not uniformly, yet in general, their

influence tended to mitigate extreme opinions: the Papal power, for example, knew no more formidable curb than the great University of Paris, and in England it was the special privilege of Oxford to rear up many centuries ago very eminent men of the class who have been well described by a German writer as Reformers before the Reformation. I speak now of men of action; but in both of the Universities I have named—and they are, I think, the two placed by Huber at the head of all the northern Universities—there were also reared many men of the first order in power of thought, who discussed even the highest subjects with a freedom as well as a force much beyond what has been tolerated in the Latin Church since the alarm and shock of the Reformation. . Of all these, the best-known name to modern ears is Abelard; for it is associated with a romantic tale of passion, which some, and even some famous, writers have not thought it beneath them to degrade. But quite apart from the profound and sad interest, and the warning lessons of his history, he was a man that gave to the human mind one of those enduring impulses whose effects remain long after their source has been forgotten, and influence the course of thought, and through thought, of action, after many generations.

Universities were, in truth, a great mediating power between the high and the low, between the old and the new, between speculation and action, between authority and freedom. Of these last words, in their application to the political sphere, modern history, and the experience of our own time, afford abundant exemplification. In countries which enjoy political

liberty, the Universities are usually firm supports of the established order of things; but in countries under absolute government they acquire a bias towards innovation. Some excess may be noted in these tendencies, but in the main they bear witness against greater and more pernicious excesses. To take instances—the University of Edinburgh did not very easily accommodate itself to the Revolution of 1688; it was long in the eighteenth century before Cambridge returned Whig representatives to Parliament; and I believe the very latest of the Jacobite risings and riots occurred in Oxford. On the other hand, in some continental countries it has been the practice during the present century, when the political horizon threatened, at once to close the Universities as the probable centres of agitation,—a proceeding so strange, according to our ideas and experience, that the fact may sound hardly credible; and within the last few weeks we may all have seen notices in the public journals of movements in the University of Rome itself, adverse to the Pontifical Government.

It is in itself deeply interesting, and it should augment our thankfulness for the ample liberties we now enjoy, to trace them back to their cradle. At one time we find nobles; at another, country gentlemen; at another, burgesses, engaged in the struggle against arbitrary power; but nowhere in the ancient history of this country is more deeply engraven her unconquerable love of freedom than in the constitution and history of her Universities. Each of them, as a brotherhood, bound together by the noble bond of learning, was a standing and living protest against the domination of

mere wealth and force in all their forms; and they strengthened themselves for their conflict by the freedom of their arrangements, both of teaching and of discipline. As respects teaching, I neither define nor dispute the changes that the altered conditions of modern society may have required; but I think there is no doubt, that in proportion as we can give a just freedom to teaching by introducing into it the element of a wholesome competition, do we approach more closely to the primitive spirit and system of Universities. As to discipline, we may read the aversion of our forefathers to all slavish formalism in the personal freedom which has been allowed to students—in that curious distribution of them into Nations, which appears to have aimed at a system of self-government combined with pupilage—in the occasional dangers, sometimes for the moment serious enough, to the public peace, which occurred from time to time; and lastly, let me say, in those suffrages which have so long been enjoyed in Scotland, and which have been extended to you under the authority of Parliament. It is indeed a fashion with some to ridicule that method of disputation which was used for testing talents and acquirements. I demur to the propriety of the proceeding. It might be as just to ridicule the clumsiness of their weapons or their tools. These disputations were clumsy weapons; but the question after all is, how did the men use them? Let us confess, the defect was more than made good by the zeal with which in those times learning was pursued; their true test is in the capacity and vigour which they gave to the mind, and this trial they can well abide.

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The sketch which I have endeavoured to give, though longer than I could wish, yet, touching as it does a subject of vast and varied interest, is, I admit, both slight and general, and would require much adaptation in detail to make it exactly suit each case. But it is essentially a picture of the past.

Jam nova progenies cœlo demittitur alto.

The simple forms into which society was cast at the time when Universities were equal to their work, have given place to a more extended and elaborate organization, with greatly multiplied wants ; and the very same state of society which now makes immensely enlarged demands on its establishments of learning and education, has likewise reduced the means of supplying them ; for those prizes of talent and energy, and those opportunities of attaining even to colossal fortune, with which the outer walks of life now abound, have bid down the modest emoluments which science and learning offer within the precincts of Universities, have altered the prevailing tone of mind with respect to knowledge, and have disposed the overwhelming mass of those who seek for education, to seek it not for its own sake, but for the sake simply of its bearing on the professions and pursuits of life.

Amidst a warm glow of reverence, gratitude, and attachment, there is discontent with the existing Universities, and a sense that they do not perform all their work. Part of this discontent is exacting and unreasonable ; another part of it is justified by a comparison of the means which all or some of them possess with their performances, and ought to be met and to

be removed. But besides the two forms of discontent I have named, there is a third, which is neither irrational like the first, nor yet remediable like the second. There must always be, especially in the most luminous and the most energetic minds, a sense of deficiency which we may properly call discontent in regard to the shortcomings of Universities when they are put to the test of measurement beside the abstract and lofty standard supplied by their conception, their aim, and their older history. The truth is, that that standard is one which it surpasses human wit to reach, especially in a period marked, as is this of ours, by a restless activity of the human spirit. For let us remember that it is the proper work of Universities, could they but perform it, while they guard and cultivate all ancient truth, to keep themselves in the foremost ranks of modern discovery, to harmonize continually the inherited with the acquired wealth of mankind, and to give a charter to the freedom of discussion, while they maintain the reasonable limits of the domain of tradition and of authority.

The question, how far endowments for education are to be desired, is beset with peculiar difficulty. Where they are small and remote from public observation, they tend rapidly to torpor. They are admirable where they come in aid of a good-will already existing, but where the good-will does not exist beforehand, they are as likely to stifle as to stimulate its growth. They make a high cultivation accessible to the youth who desires it, and who could not otherwise attain his worthy and noble end; on the other hand, they remove the spur by which Providence neutralizes the indolence

of man, and moves him to supply his wants. If the teacher, when unendowed, may be constrained to forego all high training for students, and to provide only for their lower and more immediate demands ; on the other hand, the teacher, when endowed, and in so far as he is endowed, is deprived of the aid which personal interest and private necessities can lend to the sense of duty, and he may be tempted to neglect or to minister but feebly to the culture of his pupils, either in its higher or in its lower sense.

And it is never to be forgotten, that amidst all the kinds of exertion incident to our human state, there is none more arduous, none more exhausting, than the work of teaching worthily performed. Some men, indeed, possess in this department a princely gift, which operates like a charm upon the young, and they follow such an one as soldiers follow their leader when he waves the banner of their native land before their eyes. But such men are rare ; they are not less rare than are great men in any other walk of life. Speaking generally, the work of teaching is, even when pursued with the whole heart, even when felt to be an absorbing work, but moderately successful ; while he who teaches with half his heart does not really teach at all.

There are, however, considerations which tell on the other side. The solidity of establishments founded on old endowments supplies a basis on which there are gradually formed a mass of continuous traditions, always powerful and generally noble ; and the very name of them, as it is handed on from generation to generation, becomes a watchword at once of affectionate remembrances and of lofty aspirations. They lay hold

of the young by those properties which are the finest characteristics of youth ; and in our happy country the boy, when he is enrolled as a member of one of these institutions, feels that he is admitted to a share in a great inheritance, and instinctively burns to be worthy of the badge he has assumed.

Again, in a country which, like this, is both free and wealthy, all endowed institutions are open to the competition of the unendowed, and few establishments are so amply endowed as not to leave room for the operation on the teacher of those ordinary motives which prompt him to better his condition. This remark is eminently applicable to the Universities in Scotland.

It is indeed alleged, and I think with truth, that the ancient Universities of England, with their magnificent endowments, do not effect so much as they ought on behalf of either education or of learning ; with the spirit of improvement which now rules in them, and with the powerful aid which the Legislature has given for the more free and efficacious use of their property, I believe that they will both further enlarge their field and plough it more deeply. But when all has been done that we can reasonably hope, the results will still seem small when compared with those produced in other times and in other countries ; they will still give rise to disappointment.

Let it not, on that account, be concluded that it would be well to strip these great and ancient foundations of their trappings. The real merits, the real performances of Universities, cannot be fairly judged except by fairly measuring the strength of the compet-

ing power, that of the outer world, in all its busy spheres. The fact that a hundred pounds will not bring as much learning in England, or even in Scotland, as in Germany, is no more conclusive of this case than the fact that neither will the same sum buy as many eggs; not because eggs are more scarce, but because money is more abundant.

It may be, though I will not presume to assert positively it is, that the endowments of learning in our own country do but redress, and that partially, the relative disadvantage at which, but for them, learning itself must have been placed by the increased attractions and multiplied openings which the exterior spheres of modern life supply. This, however, we all must feel, that now is the time when it befits every teacher and every student connected with all these great and venerable institutions, to bestir himself, and to refute, at least in his own person, the charge that endowment gravitates towards torpor as its natural consummation, if indeed we desire that in a critical though not an unkindly age the Universities should still enjoy that intelligent respect which has been paid them by so many generations.

I have been assuming all along that all Universities are united by a paramount bond of common interest, and I have therefore discussed them at large. If now we contract our view to the Universities of Scotland—if again we bring it yet nearer home, and look at Edinburgh alone, we have the consolation of thinking that Envy herself can scarcely charge either the whole of them, or this one in particular, with an abuse of wealth.

In the history of the University of Edinburgh, we may clearly trace the national character of Scotland; we find there all that hardy energy, that gift of extracting much from little, of husbanding every available provision, and of supplying the defects of external appliances and means from within by the augmented effort and courage of man, that power to make an ungenial climate smile, and a hungry soil teem with all the bounties of Providence, which have given to Scotland a place and a name among men so far beyond what was due to her geographical extent or to her natural resources. The progress of this University during the last century—I strive to speak impartially—is truly wonderful; from the days of Carstairs, Pitcairn, Monro, and Sibbald, at its beginning, to those of Brown and Stewart, of Robertson and Blair, of Cullen, the second Monro, of Black, of Playfair, of Robison, of Sir William Hamilton, and many others both before and since its close.

It would be most unjust in any review of the fortunes of this University not to notice that great peculiarity in its condition—its subjection to the local municipal authority. I speak, gentlemen, of what history tells. I have stated that it is the business of Universities to give a charter to freedom of discussion; and I am sure you will allow me to state, without prejudice, the impression that a perusal of the ancient history of Edinburgh makes on my mind. In lieu of Sovereigns, and great nobles and prelates, for patrons, visitors, Chancellors, and the like, the University of Edinburgh, as a general rule, could look no farther and no higher than to the Council of the “good

town" itself. A relation, originally intended for a great secondary school, survived that stage of the career of the institution, and continued to influence its affairs, when it was to all intents and purposes a University; and I must say that the history of this relation appears to be highly honourable to all parties concerned. On the side of the teaching body we commonly find deference and trust. On the side of the superintending corporation, in generations gone by—for the present is not within the sphere of my discussion—we find patronage effectively and intelligently exercised, and the most assiduous and friendly care bestowed in improving and enlarging the organization. I speak with the freedom of historical inquiry, nay with a chartered freedom of discussion before an academic audience: modern times do not fall within my province: but I must declare, in looking to the past, that it will indeed be easier for the Town Council of our own day, in the discharge of the large and important share of governing duties that are still lodged in its hands, to fall below, than to rise above, the level of those who preceded it in the critical times preceding and following the Legislative Union.

And now, my younger friends, you to whom I owe the distinction of the office which enables and requires me to address you, if I have dwelt thus at length upon the character and scope of Universities, and their place in the scheme of Christian civilization, it is in order that, setting before you the dignity that belongs to them, and that is reflected from them on their members, and the great opportunities which they offer, both of advancement and of improvement, I might chiefly

suggest and impress by facts, which may be more eloquent than precepts, the responsibilities that are charged upon you by the enjoyment of these gifts and blessings.

Much, however, might be said to you on the acquisition of the knowledge which will be directly serviceable to you in your several professions. Much on the immense value of that kind of training, in which the subjects learned have for their chief aim not to inure the hand (so to speak) to the use of its tools in some particular art, but to operate on the mind itself, and, by making it flexible, manifold, and strong, to endow it with a general aptitude for the duties and exigencies of life. Much, lastly, on the frame of mind in which you should pursue your work.

Of these three branches, the topics belonging to the first are the most obvious and simple, for it requires no argument to persuade the workman, that he must be duly furnished with his tools, and must know how to handle them.

The reasons are less directly palpable which have made it the habit of our country to spend, where means permit, many precious years upon studies void in a great degree of immediate bearing upon the intended occupations of our after life. There may, however, be the means of showing first, that even the direct uses of the studies which you include under the general designation of humanity, are more considerable, when they are collected into one view, than might have been supposed; and, secondly, that the most distinguished professional men bear witness, with an overwhelming authority, in favour of a course

of education in which to train the mind shall be the first object, and to stock it, the second.

Man is to be trained chiefly by studying and by knowing man; and we are prepared for knowing man in life by learning him first in books, much as we are taught to draw from drawings before we draw from nature. But if man is to be studied in books, he will best be studied in such books as present him to us in the largest, strongest, simplest, in a word, the most typical forms. These forms are principally found among the ancients.

Nor can the study of the ancients be dissociated from the study of their languages. There is a profound relation between thought and the investiture which it chooses for itself; and it is, as a general rule, most true, that we cannot know men or nations unless we know their tongue.

Diversity of language was, like labour, a temporal penalty inflicted on our race for sin; but being, like labour, originally penal, like labour it becomes, by the ordinance of God, a fertile source of blessing to those who use it aright. It is the instrument of thought, but it is not a blind or dead instrument: it is like the works in metal that Dædalus and Vulcan were fabled to produce; and even as the limping deity was supported in his walk by his nymphs of so-called brass, in like manner language re-acts upon and bears up the thoughts from which it springs, and comes to take rank among the most effective powers for the discipline of the mind.

But more important than the quest of professional knowledge, more vital than the most effective intel-

lectual training, is the remaining question of the temper and aim with which the youth prosecutes his work.

It is my privilege to be the first who has ever thus addressed you in the capacity of Rector. But without doubt, your ears have caught the echo of those affectionate and weighty counsels, which the most eminent men of the age have not thought it beneath them to address to the students of a sister Scottish University. Let me remind you how one of European fame, who is now your and my academical superior, how the great jurist, orator, philosopher, and legislator, who is our Chancellor, how Lord Brougham besought the youth of Glasgow, as I in his words would more feebly, but not less earnestly, pray you, "to believe how incomparably the present season is verily and indeed the most precious of your whole lives," and how "every hour you squander here will," in other days, "rise up against you, and be paid for by years of bitter but unavailing regrets." Let me recall to you how another Lord Rector of Glasgow, whose name is cherished in every cottage of his country, and whose strong sagacity, vast range of experience, and energy of will, were not one whit more eminent than the tenderness of his conscience, and his ever wakeful and wearing sense of public duty—let me recall to you how Sir Robert Peel, choosing from his quiver with a congenial forethought that shaft which was most likely to strike home, averred before the same academic audience what may as safely be declared to you, that "there is a presumption, amounting almost to certainty, that if any one of

you will determine to be eminent in whatever profession you may choose, and will act with unvarying steadiness in pursuance of that determination, you will, if health and strength be given to you, infallibly succeed." The mountain tops of Scotland behold on every side of them the witness, and many a one of what were once her morasses and her moorlands, now blossoming as the rose, carries on its face the proof, that it is in man and not in his circumstances that the secret of his destiny resides. For most of you that destiny will take its final bent towards evil or towards good, not from the information you imbibe, but from the habits of mind, thought, and life that you shall acquire, during your academical career. Could you with the bodily eye watch the moments of it as they fly, you would see them all pass by you, as the bee that has rifled the heather bears its honey through the air, charged with the promise, or it may be with the menace, of the future. In many things it is wise to believe before experience—until you shall know, and in order that you may know; and believe me when I tell you that the thrift of time now will repay you in after life with an usury of profit beyond your most sanguine dreams, and that the waste of it will make you dwindle, alike in intellectual and in moral stature, beyond your darkest reckonings.

I am Scotchman enough to know that among you there are always many who are already, even in their tender years, fighting with a mature and manful courage, the battle of life. When they feel themselves lonely amidst the crowd; when they are for a moment disheartened by that Difficulty, which is the

rude and rocking cradle of every kind of excellence ; when they are conscious of the pinch of poverty and self-denial, let them be conscious, too, that a sleepless Eye is watching them from above, that their honest efforts are assisted, their humble prayers are heard, and all things are working together for their good. Is not this the true life of Faith, which walks by your side from your rising in the morning to your lying down at night—which lights up for you the cheerless world, and transfigures all that you encounter, whatever be its outward form, with hues brought down from heaven ?

These considerations are applicable to all of you. You are all in training here for educated life, for the higher forms of mental experience, for circles limited perhaps, but yet circles of social influence and leadership. Some of you may be chosen to greater distinctions and heavier trials, and may enter into that class of which each member, while he lives, is envied or admired :—

“And when he dies he leaves a lofty name,
A light, a landmark, on the cliffs of fame.”

And, gentlemen, the hope of an enduring fame is without doubt a powerful incentive to virtuous action ; and you may suffer it to float before you as a vision of refreshment, second always, and second with long interval, to your conscience and the will of God. For an enduring fame is one stamped by the judgment of the future ; of that future which dispels illusions, and smashes idols into dust. Little of what is criminal, little of what is idle, can endure even the first touch of the ordeal ; it seems as though this purging power

following at the heels of man and trying his work even here and now, were a witness and a harbinger of the great and final account.

So then the thirst of an enduring fame is near akin to the love of true excellence. But the fame of the moment is a dangerous possession, and a bastard motive; and he who does his acts in order that the echo of them may come back as a soft music to his ears, plays false to his noble destiny as a Christian man, places himself in continual danger of dallying with wrong, and taints even his virtuous actions at their source. Not the sublime words alone of the Son of God and His apostles, but heathenism too, even while its vision is limited to the passing scene, testifies with an hundred tongues that the passing scene itself presents to us virtue as an object, and a moral law, graven deeply in our whole nature, as a guide. But now, when the screens that so bounded human vision have been removed, it were sad indeed, and not more sad than shameful, if that being should be content to live for the opinion of the moment, who has immortality for his inheritance. He that never dies, can he not afford to wait patiently a while? And can he not let Faith, which interprets the present, also guarantee the future? Nor are there any two habits of mind more distinct than that which chooses success for its aim and covets after popularity, and that, on the other hand, which values and defers to the judgments of our fellow-men as helps in the attainment of truth.

But I would not confound with the sordid worship of popularity in after life, the graceful and instinctive

love of praise in the uncritical period of youth. On the contrary, I say, avail yourselves of that stimulus to good deeds, and when it proceeds from worthy sources and lights upon worthy conduct, yield yourselves to the warm satisfaction it inspires; but yet, even while young, and even amidst the glow of that delight, keep a vigilant eye upon yourselves, refer the honour to Him from whom all honour comes, and ever be inwardly ashamed for not being worthier of His gifts.

But, gentlemen, if you let yourselves enjoy the praise of your teachers, let me beseech you to repay their care, and to help their arduous work, by entering into it with them; and by showing that you meet their exertions neither with a churlish mistrust nor with a passive indifference, but with free and ready gratitude. Rely upon it, they require your sympathy; and they require it more in proportion as they are worthy of their work. The faithful and able teacher, says an old adage, is *in loco parentis*. His charge certainly resembles the mother's care in this, that, if he be devoted to his task, you can measure neither the cost to him of the efforts which he makes, nor the debt of gratitude you owe him. The great poet of Italy—the profound and lofty Dante—had had for an instructor one* whom, for a miserable vice, his poem

* Brunetto Latini.

Se fosse pieno tutto 'l mio dimando,
 Risposi io lui, vio non sareste ancora
 Dell' umana natura posto in bando ;
 Che in la mente m' è fitta, ed or m' accora
 La cara e buona imagine paterna
 Di voi nel mondo, quando ad ora ad ora
 Mi 'nsegnavate come l' uom s' eterna.

Inferno, xv. 79.

places in the regions of the damned ; and yet this lord of song—this prophet of all the knowledge of his time—this master of every gift that can adorn the human mind—when in those dreary regions he sees the known image of his tutor, avows in language of a magnificence all his own, that he cannot, even now, withhold his sympathy and sorrow from his unhappy teacher, for he recollects how, in the upper world, with a father's tender care, that teacher had pointed to him the way by which man becomes immortal.

Gentlemen, I have detained you long. Perhaps I have not had time to be brief ; certainly I could have wished for much larger opportunities of maturing and verifying what I have addressed to you upon subjects which have always possessed a hold on my heart, and have long had public and palpable claims on my attention. Such as I have, I give. And now, finally, in bidding you farewell, let me invoke every blessing upon your venerable University in its new career ; upon the youth by whom its halls are gladdened, and upon the distinguished Head and able teachers by whom its places of authority are adorned.

THE END.

A D D R E S S

DELIVERED AT

MANCHESTER

ON THE 23RD OF APRIL, 1862.

BY, THE

RIGHT HON. W. E. GLADSTONE,

CHANCELLOR OF HER MAJESTY'S EXCHEQUER.

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LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1862.

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AND CHURCH LANE.



# A D D R E S S

DELIVERED BEFORE THE  
ASSOCIATION OF LANCASHIRE AND CHESHIRE  
MECHANICS' INSTITUTES.

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LADIES AND GENTLEMEN,—Although the duty in which we have just been engaged is a cheerful one, the season at which I come among you is, but too notoriously, a season of gloom in the district, and even in the city. In this busy region, all the forms of human industry are grouped around one central stock, which gives them their vitality; and they droop and come near to dying when, as now, the great cotton harvest is no longer wafted over the Atlantic to employ and feed the people. If the positive signs of distress do not glare in your streets, it is, I apprehend, because the manly and independent character of the Lancashire workman makes him unwilling to parade, or even to dis-

close, his sufferings before his fellow men. None can doubt the existence of a torpor scarcely ever equalled in its intensity, and wholly without parallel in its cause. At points of the horizon in these counties, the eye suggests regret even for the unwonted thinness of the canopy of smoke, which bears witness to the partial slumber of the giant forces enlisted in your ordinary service. Rarely within living memory has so much of skill lain barren, so much of willing strength been smitten as with palsy, and so much of poverty and want forced its way into homes, that had long been wont to smile with comfort and abundance. Nor is the promise of to-morrow a compensation for the pressure of to-day. On the contrary, if the present be dark, the signs of the immediate future may seem darker still.

In times like these the human mind, and still more the human heart, searches all around for consolation and support. Of that support one kind is to be found in observing, that trials the most severe and piercing are the lot not of one station only but of all. And perhaps in the wise counsels of Providence it was decreed, that that

crushing sorrow, which came down as sudden as the hurricane, scarcely yet four months ago, upon the august head of our Sovereign, should serve, among other uses, that of teaching and helping her subjects to bear up under the sense of affliction and desolation, and should exhibit by conspicuous example the need and the duty both of mutual sympathy and mutual help. In many a humble cottage, darkened by the calamity of the past winter, the mourning inhabitants may have checked their own impatience by reflecting that, in the ancient Palace of our Kings, a Woman's heart lay bleeding; and that to the supreme place in birth, in station, in splendour, and in power, was now added another sadder title of pre-eminence in grief.

For, perhaps, no sharper stroke ever cut human lives asunder, than that which in December last parted, so far as this world of sense is concerned, the lives of the Queen of England and of her chosen Consort. It had been obvious to us all, though necessarily in different degrees, that they were blest with the possession of the secret of reconciling the discharge of incessant

and wearing public duty with the cultivation of the inner and domestic life. The attachment, that binds together wife and husband, was known to be in their case from the first of an unusual force. Through more than twenty years, which flowed past like one long unclouded summer day, that attachment was cherished, exercised, and strengthened by all the forms of family interest, by all the associated pursuits of highly cultivated minds, by all the cares and responsibilities which surround the Throne, and which the Prince was called in his own sphere both to alleviate and to share. On the one side, such love is rare, even in the annals of the love of woman; on the other, such service can hardly find a parallel, for it is hard to know how a husband could render it to a wife, unless that wife were also Queen.

So, then, She, whom you have seen in your streets a source of joy to all, and herself drinking in with cordial warmth the sights and the sounds of your enthusiastic loyalty, is now to be thought of as the first of English widows, lonely in proportion to her elevation and her cares. Nor let it be thought that those, who

are never called to suffer in respect to bodily wants, therefore do not suffer sharply. Whereas, on the contrary, it is well established, not only that though the form of sorrow may be changed with a change in the sphere of life, the essence and power of it remain, but also that, as that sphere enlarges, the capacity of suffering deepens along with it no less than the opportunities of enjoyment are multiplied. Therefore all the land, made aware, through the transparent manner of it, what was the true character of her life, has acknowledged in the Queen not only a true, but a signally afflicted mourner. And rely upon it that even in the midst of desolation she is conscious of our sympathy, and has thrilled more deeply to the signs of her people's grief on her behalf than ever, in other days, to their loudest and most heart-stirring acclamations. (Applause.)

And you, my friends, such of you in particular as have felt by your firesides the touch of this most trying time, if perchance many among you, turning in the day of need and trouble to the Father of all Mercies,

have mingled with your prayers for your own relief another prayer, that She may be consoled in her sorrow and strengthened for her work during what we hope will be the long remainder of her days, that loyal prayer will come back with blessing into your own bosom, and in the effort to obtain comfort for another you will surely be comforted yourselves. (Applause.)

If the mourning of the nation for the Prince Consort's death was universal, yet within certain precincts it was also special. One of those precincts surely must have been the Association, to promote whose purposes we are gathered here to-night. You had in him a Head; and a Head standing towards you in no merely titular relation, but one who, as his manner was, gave reality to every attribute of his station, and in lending you his name imparted to you freely of his thought and care to boot. His comprehensive gaze ranged to and fro between the base and the summit of society, and examined the interior forces, by which it is kept at once in balance and in motion. In his

well-ordered life there seemed to be room for all things. For every manly exercise, for the study and practice of art, for the exacting cares of a splendid Court, for minute attention to every domestic and paternal duty, for advice and aid towards the discharge of public business in its innumerable forms, and for meeting the voluntary calls of an active philanthropy : one day in considering the best form for the dwellings of the people ; another day in bringing his just and gentle influence to bear on the relations of master and domestic servant ; another in suggesting and supplying the means of culture for the most numerous classes ; another in some good work of almsgiving or religion. Nor was it a merely external activity which he displayed. His mind, it is evident, was too deeply earnest to be satisfied in anything, smaller or greater, with resting on the surface. With a strong grasp on practical life in all its forms, he united a habit of thought eminently philosophic ; ever referring facts to their causes, and pursuing action to its consequences. Gone though he be from among us, he, like other worthies of mankind who

have preceded him, is not altogether gone ; for, in the words of the poet,—

“ ——— the religious actions of the just  
Smell sweet in death, and blossom in the dust.”

(Applause.) So he has left for all men, in all classes, many a useful lesson, to be learnt from the record of his life and character.

For example, it would, I believe, be difficult to find anywhere a model of a life more highly organized, more thoroughly and compactly ordered. Here in Manchester, if anywhere in the world, you know what order is, and what a power it holds. Here we see at work the vast systems of machinery, where ten thousand instruments are ever labouring, each in its own proper place, each with its own proper duty, but all obedient to one law, and all co-operating for one end. Scarcely in one of these your own great establishments are the principles of order and its power more vividly exemplified, than they were in the mind and life of the Prince Consort. Now this way of excelling is one that we all may follow. There is not one among us all here gathered, who may not, if he will, especially if he be still



young, by the simple specific of giving method to his life, greatly increase its power and efficacy for good. (Applause.)

But he would be a sorry imitator of the Prince, who should suppose that this process could be satisfactorily performed as a mechanical process, in a presumptuous or in a servile spirit, and with a view to selfish or to worldly ends. A life that is to be active like his, ought to find refreshment even in the midst of labours; nay, to draw refreshment from them. But this it cannot do, unless the man can take up the varied employments of the world with something of a childlike freshness. Few are they, who carry on with them that childlike freshness of the earliest years into after-life. It is that especial light of Heaven, described by Wordsworth in his immortal 'Ode on the Recollections of Childhood:' that light—

“ which lies about us in our infancy,”  
which attends even the youth upon his way;  
but at length—

“ the man perceives it die away,  
And fade into the light of common day.”

Its radiance still plays about a favoured few:

they are those few who, like the Prince, strive earnestly to keep themselves unspotted from the world, and are victors in the strife. (Applause.)

In beseeching, especially, the young to study the application to their daily life of that principle of order which both engenders diligence and strength of will, and likewise so greatly multiplies their power, I am well assured that they will find this to be not only an intellectual, but a moral exercise. Every real and searching effort at self-improvement is of itself a lesson of profound humility. For we cannot move a step without learning and feeling the waywardness, the weakness, the vacillation of our movements, or without desiring to be set up upon the rock that is higher than ourselves. (Applause.) Nor, again, is it likely that the self-denial and self-discipline, which these efforts undoubtedly involve, will often be cordially undergone, except by those who elevate and extend their vision beyond the narrow scope of the years—be they what we admit to be few, or what we think to be many—that are prescribed for our career on earth. An untiring

sense of duty, an active consciousness of the perpetual presence of Him who is its author and its law, and a lofty aim beyond the grave—these are the best and most efficient parts, in every sense, of that apparatus, wherewith we should be armed when with full purpose of heart we address ourselves to the life-long work of self-improvement. And I believe that the lesson which I have thus, perhaps at once too boldly and too feebly, presumed to convey to you in words, is the very lesson which was taught us for twenty years, and has been bequeathed to us for lasting memory, by the Prince Consort, in the nobler form of action, in the silent witness of an earnest, manful, and devoted life. (Applause.)

But, although this world embraces no more than a limited part of our existence, and although it is certain that we ought to tread its floor with an upward and not with a downward eye, yet sometimes a strong reaction from the dominion of things visible and carnal begets the opposite excess. A strain of language may sometimes be heard among us which, if taken strictly, would imply that the Almighty had

abandoned the earth and the creatures He had made ; or, at the least, that if He retained any care at all for some portion of those creatures while continuing to be inhabitants of the world, it was only care how to take them out of it. It is sometimes said that this world is a world only of shadows and of phantoms. We may safely reply that, whatever it is, a world of shadows and of phantoms it can never be ; for by shadows and by phantoms we mean vague existences which neither endure nor act : creatures of the moment, which may touch the fancy, but which the understanding does not recognise ; passing illusions, without heralds before them, without results or traces after them. With such a description as this, I say, our human life, in whatever state or station, can never correspond. It may be something better than this ; it may be something worse ; but this it can never be. Our life may be food to us, or may, if we will have it so, be poison ; but one or the other it must be. Whichever and whatever it is, beyond all doubt it is eminently real. So surely as the day and the night alternately follow one another, does every day when it yields to dark-

ness, and every night when it passes into dawn, bear with it its own tale of the results which it has silently wrought upon each of us for evil or for good. The day of diligence, duty, and devotion leaves us richer than it found us; richer sometimes, and even commonly, in our circumstances; richer always in ourselves. But the day of aimless lethargy, the day of passionate and rebellious disorder, or of a merely selfish and perverse activity, as surely leaves us poorer at its close than we were at its beginning. (Applause.) The whole experience of life, in small things and in great, what is it? It is an aggregate of real forces, which are always acting upon us, and we reacting upon them. It is in the nature of things impossible that, in their contact with our plastic and susceptible natures, they should leave us as we were; and to deny the reality of their daily and continual influence, merely because we cannot register its results, like changes of the barometer, from hour to hour, would be just as rational as to deny that the sea acts upon the beach because the eye will not tell us to-morrow that it is altered from what it has been to-day. If we fail to measure

the results that are thus hourly wrought on rock and sand, it is not because those results are unreal, but because our vision is too limited in its powers to discern them. When, instead of comparing day with day, we compare century with century, then we find that land has become sea, and sea has become land. Even so we can perceive, at least in our neighbours—towards whom the eye is more impartial and discerning than towards ourselves—that, under the steady pressure of the experience of life, human characters are continually being determined for good or evil; are developed, confirmed, modified, altered, or undermined. It is the office of good sense, no less than of faith, to realise this great truth before we see it, and to live under the conviction, that our life from day to day is a true, powerful, and searching discipline, moulding us and making us, whether it be for evil or for good. (Applause.)

Nor are these real effects wrought by unreal instruments. Life and the world, their interests, their careers, the varied gifts of our nature, the traditions of our forefathers, the treasures of laws, institutions, usages, of languages, of litera-

ture, and of art; all the beauty, glory, and delight, with which the Almighty Father has clothed this earth for the use and profit of His children, and which Evil, though it has defaced, has not been able utterly to destroy; all these are not merely allowable, but ordained and appointed instruments for the training of mankind,—instruments true and efficient in themselves, though without doubt auxiliary and subordinate to that highest instrument of all which God has prepared to be the means of our recovery and final weal, by the revelation of Himself. (Applause.)

Thus, then, we arrive at a point which plainly exhibits the ennobling tendencies and high moral aims of an institution such as this, when it is worked in the spirit that alone befits our nature and condition.

Let me now address to you a few words on a marked feature of the institution—that feature with which in particular we are to-night concerned—I mean its examinations, to which reference is made in the eighth paragraph of its printed list of its objects. They evidently form not only a living and chief por-

tion of its practice, but also a test of its power over the people; and it is manifest, from the results they have produced—from such results as with our own eyes we have witnessed in this hall to-night—that they have struck deep root in the mind of the community around you, and are likely to exercise in future a material influence upon conduct.

The use of examinations in this country, not alone, but with honours and prizes variously attached to them, as a main stimulus and support to mental cultivation, is in a very great degree peculiar to the present century. Examination may be said to have constituted, nearly from its commencement, the basis of the practical system of our ancient Universities of Oxford and Cambridge. Perhaps those Universities have been the means of commending to the country the example it has so largely followed. These examinations have acquired progressively more and more of weight in the public schools. They now supply the only passport to the Civil Service of India, richly endowed as it is with emoluments, and heavily charged with duties and responsibilities. Admission to the Civil



Service at home had been long the subject only of a political patronage which was, erroneously as I think, believed to be an essential part of the machinery of the Constitution, and the sole effectual substitute for the ruder methods of government formerly in use by prerogative and force. But it is now in some degree admitted that the privilege of entering the Civil Service of the country—and, indeed, the service of the country generally—ought to be thrown open, as widely as may be, to its youth at large. (Applause.) And some progress has been made, by the method of examinations, both in securing the State against the intrusion of the unworthy, and in widening the way of access for those who aspire to prove themselves worthy of the honours and rewards of civil office. (Hear.) The same engine of competitive examination has been more freely applied to the highest—I mean the scientific—department of the Army. At about the same time with the adoption of these last-mentioned improvements, the University of Oxford instituted, with great wisdom and forethought, that system of circuits for local examination throughout the country, which

met at once with public acknowledgment and approval, and which was speedily and happily imitated from one or more other quarters. But none of these efforts touched the great masses of the people. They too, however, have been at least partially reached by the widening circles of the movement. A proposal is, as you know, under the consideration of Parliament, which aims at the establishment of the principle, that the merit of the pupils, proved by elementary examination, shall henceforth be, if not the sole, yet the main condition on which the money of the State, supplied by the taxes of the country, shall be dispensed in aid of primary schools. (Applause.) This, it may be said, is still prospective. But at least we have, in the Association of Lancashire and Cheshire Mechanics' Institutes, one living proof of the progress made, without aid either from old endowment or from the public purse ("hear, hear"), by the principle of examinations, with the condition of competition and the attraction of honour or reward. (Applause.) How strictly true is this assertion must be more familiarly known to many among you than to me.

I will not attempt to draw here, and now, a full picture of the Association, but will only give in proof of what I have said a very few facts and figures. First, as regards the general condition of the district. We find that the compulsory leisure forced on the population by the contraction of the cotton trade has been attended by a decrease of crime. In Blackburn, for instance, where the crisis is felt with the utmost severity, the charges heard by the borough magistrates in the first quarter of the year 1857 were 721; in the first quarter of the year 1862, although the population must have grown, the charges were only 524. ("Hear, hear," and applause.) Now, we may naturally expect a decrease of drunkenness to accompany popular distress, because the means of indulgence have been contracted. But, on the other hand, we might not be greatly surprised if there were a positive increase of those offences to which men are tempted in a principal degree by want. Applying these considerations to the case of Blackburn, we find the following results:—The charges other than for drunkenness in the first quarter of 1857 were 464; in 1862 they

were 380. (Applause.) There is, my friends, consolation in these facts, which I hope will long survive the painful occasion that has brought them into view. (Hear, hear.)

It also appears from the returns, that, speaking generally, while crime has decreased, the attendance upon classes, and the use of the means of mental culture, have increased. Now, my friends, there are beautiful and famous passages in ancient writers, where statesmen and orators describe the refreshment with which literature had supplied them, amid the cares of life and of public affairs. Without any disparagement to such representations, it is a far more touching picture to behold the labouring man, shut out by no fault of his own from the occupation that gives him bread, yet unconquered in spirit and resource, and turning to account his vacant hours in pursuits which strengthen and enlarge the faculties of his mind. (Applause).

It would, however, be unjust to set down to the credit of this Association, or of those Institutes which it binds together, more than a modest share in the general improvement of your social

state. But let us observe more closely their own progress. The members, formerly 2000, are now from 6000 to 8000. Four years ago 500 persons passed the preliminary examinations; this year there are 1500. (Hear, hear.) Four years ago 214 passed the public and final examination; this year there are 730. (Hear, hear.) What is more remarkable than all this is the fact, that of 180 persons who have to-night received honours and certificates, the number who draw their subsistence from weekly wages is no less than 177. (Applause and cheers.) Two of these are wholly unemployed; 83, between men and women, are weavers; fully 150 appear to belong, in the very strictest sense, to the labouring class. Again I say, here are the signs, for that class especially, of hope and real progress; of hope which will, I trust, bear its fruit, and abide with them as certainty, long after the clouds of the present visitation shall, if it please God, have passed away. (Applause.)

I have said to you, my friends, that the extended use of the instrument of examinations is eminently characteristic of the age in which we live. I would almost venture to

say that, amid all the material and all the social changes, by which the period has been distinguished, there have been few that are greater or more peculiar than this. The older methods of education, which had been in use in European countries, generally invited from students, with more or less of strictness, voluntary performances, which were intended to afford general evidence of competency; and which, where they were regularly exacted, were made conditions of the certificates of proficiency given by Universities and other learned bodies, and by them called *Degrees*. These exercises and exhibitions were the invention of remote ages, and were in all probability well adapted to the exigencies of those periods. But in the time of your immediate ancestors they had become generally and even grossly ineffective; and it was not till the present century, that the instinct of the human mind, to speak, of the present age, led to the revival of the system, and to the establishment of the various examinations, to have re-

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possession of which by particular competitors involves the exclusion of others. This form of examination has great advantages. It raises to a *maximum* that stimulus which acts insensibly but powerfully upon the minds of students, as it were, from behind; and becomes an auxiliary force augmenting their energies, and helping them, almost without their knowledge, to surmount their difficulties. It is not found in practice, so far as I know, to be open to an objection which is popularly urged against it—namely, that it may elicit evil passions among the candidates, because it makes the gain of one the loss of another. I believe that, on the contrary, the pursuit of knowledge is found to carry with it in this respect its own preservatives and safeguards. Even in athletic sports, the loser does not resent or grudge the fairly won honours of the winner; and, in the race of minds, those who are behind, having confidence in the perfect fairness of the award, are not so blindly and basely selfish as to cherish resentment against others for being better than themselves. (Hear, hear.) Again, it is a recommendation of purely competitive examinations

that they bring the matter to the simplest issue ; for, in nice cases, it is a much easier and safer task for the examiner to compare the performances of a candidate with those of another candidate, than to compare them with some more abstract standard, existing only in his own mind. On the other hand, it is a disadvantage of this system that the honours given at different times, purporting to be equal, are given to unequal merit: for the number and excellence of the competitors varies from one occasion to another; and the winner of one year may, on this account, be inferior to the loser of another.

Much may, in truth, be said in praise or in disparagement of one method of examination as compared with another. Into controversy of this kind I do not propose to enter, further than to say that I think the highest value belongs to the competitive species in cases like that of admission to the civil service of the State, where a main object is to bar the way against the action of corrupt or inferior motives in those who appoint. In the long run, the simple, clear, and self-acting method of an open



competition will probably be found more adequate, than any other agency, to contend against the wakeful energies of human selfishness, ever on the alert, first to prevent the adoption of improvements, and then to neutralize and mar their operation. (Applause.)

But what I would, on the present occasion, specially endeavour to bring to your attention is the general character of this instrument of examination, as it is understood and as it is applied in the present century, and in the institution with which we have now to deal. The essential character of it I take to be this—that the candidate, instead of himself producing a piece of work, and asking to be judged by it, offers and opens his mind to the examining authority to be tested, searched, and, so to speak, even ransacked, in such manner, and by such questions and processes, as that examining authority shall choose. The adoption, or wide extension, of such a method as this marks an epoch in the history of study. It shows that we have overlived the time, when the greater part of those who engaged in the pursuit of knowledge were enamoured of its beauty, and

loved it for its own sake, with a devout and tender love. In the childhood of mental culture, it was the prerogative of a few, and the mere possession of it constituted a high distinction. So, likewise, as in those days legal rights were ill defined and protected, commerce was circumscribed, nations were sharply severed, and but few of the careers of active life were open, it naturally happened that in the case of many persons mental culture had little to compete with it for their regard. In circumstances like these, it might not be needful constantly to apply a strong stimulus from without. The very novelty and freshness of knowledge, in ages just emerging from darkness and disorder, gave it a powerful charm for the imagination, over and above its hold upon the intellect; it was pursued by a spontaneous movement from within, with passion as well as with conviction: and those who so pursue it do not need to be goaded in their onward course; their service is a service of love, and, like the love of youth for maiden, it is its own incentive and its own reward. (Applause.)

But when society has passed into what is dis-

tinctively, and in many respects truly, termed a progressive state; when the personal rights of men are as secure in the outer world as in the closest retirement; when a thousand new careers of external life are opened, and its attractions in a thousand forms are indefinitely multiplied; when large numbers can engage, not merely in labour for subsistence, but in the pursuit of wealth; and when a desire to rise upon the social ladder takes possession of whole classes, if not on their own behalf, at least on behalf of their children; then there is a compound danger — first, lest the value of knowledge for its own sake should be wholly forgotten; and, secondly, lest even its utility in innumerable respects for the comfort and advancement of life should pass, in great measure, out of view.

Now, my friends, it is in such an age as this that we are living. That same attraction or necessity of wages, which takes the poorer child, either in town or village, from school at too early a period, is but the exhibition for one class of a pressure felt by all. With the wealthier it is pleasure, with the needier it is

gain; but all classes and all circles are alike in this—that our youth are in danger of undervaluing solid mental culture, and of either neglecting or shortening its pursuit by reason of the increased allurements or the more urgent calls of the outer sphere of life. Although knowledge is in so many ways auxiliary to art and to commerce, yet this is a matter not so palpable to the individual that we can rely on it to enable him, as it were, to speculate upon a distant benefit, which concerns others as well as, or it may be more than himself, and to forego for its sake advantages which lie nearer at hand, which appertain directly to his own career, and which are on the level of every man's understanding. Long, accordingly, after trade and manufactures had begun, one hundred years ago, their upward spring, education and art seemed rather to decline than to advance among us. At length a day of awakening came. Christian philanthropy, we may do well to remember, was first in the field on behalf of the masses of the people ("hear, hear"); but after a while, it found itself in partnership with an enlightened self-

interest on the part of individuals, and with the political prudence of the Government. Now, for a long course of years, all three have prosecuted their work in remarkable harmony one with another. Long may their union continue, and its golden fruits teem and glow over all the surface of the land! (Applause.)

A principal form in which they have each developed their united activity has been the form of examinations; and I must in candour say that, among all the particular applications of this principle, I have seen none more remarkable than that, which we have met to-night to commemorate and to encourage. (Hear, hear.) For here it is not leisure, wealth, and ease, which come to disport themselves as athletes in intellectual games: it is the hard hand of the worker, which his yet stronger will has taught to wield the pen; it is Labour, gathering up with infinite care and sacrifice the fragments of time, stealing them, many a one, from rest and sleep, and offering them up like so many widows' mites in the honest devotion of an effort at self-improvement. (Applause and cheers.)

There are those, my friends, who tell us that

examinations, and especially that competitive examinations, are of no real value; that they produce the pretence and not the reality of knowledge; that they give us, not solid progress, but conceit and illusion. I freely admit that this modern method is likely to rear, as far as we can judge, no greater prodigies of learning than did the simple and spontaneous devotion of the olden time; perhaps, if we are to look only at individual cases of pre-eminence, none so great. But I say that the true way to imitate the wisdom of the olden time is this,—to watch the conditions of the age in which we live; to accept them thankfully and freely, as at once the law of Providence for our guidance, and the gift for our encouragement: and when we learn by experience that the tools with which other generations wrought are not suited for the work that is given us to do, then to find, if we can, some other tools which are. (Hear, hear.)

It is not too much to say that the experience of half a century, as well in the Universities as elsewhere, appears to have shown that the method of examinations is the best, and perhaps the only method, by which, in the

England of the nineteenth century, any due efficiency can be imparted to the general business of education. I do not, indeed, deny that a certain trick or craft may be practised in them; that some may think more of the manner of displaying their knowledge to a momentary advantage, like goods in a shop-window (laughter), than of laying hold upon the substance. But I say that these abusive cases will be the exceptions, not the rule. I say that those, who so unjustly plead them against the system, forget that this very faculty of the ready command and easy use of our knowledge is in itself of immense value. It means clear perception, it means orderly arrangement. And, above all, they forget what I take to be the specific and peculiar virtue of the system of examinations, namely this, that they require us to concentrate all the faculties of the mind, with all their strength, upon a point. In and by the efforts necessary for that concentration, the mind itself, obtaining at once breadth of grasp and increased pliability and force, becomes more able to grapple with great occasions in the subsequent experience of life. (Hear, hear.)

Therefore, my friends, again I say let us accept frankly and cheerfully the conditions of the age in which our lot is cast, and let us write among its titles this,—that as it is the age of humane and liberal laws, the age of extended franchises (“hear, hear”), the age of warmer loyalty (“hear”), and more firmly established order, the age of free trade (cheers), the age of steam and railways; so it is likewise, even if last and least, the age of examinations. Let me add, it is the age in which this powerful instrument of good, formerly the exclusive privilege of the more opulent, has been extended, perhaps most conspicuously of all by this Institution, to the people. And I give you this for my concluding word; that, if that Prince, of whose bright career and character I lately spoke, were now among us, none, we may be sure, would more cordially than he claim honour for a system which, in such thorough harmony with the whole spirit of English laws and institutions, aims at enabling every one, in every rank of the social scale, the lowest like the highest, to give proof of what mettle he is made, and to turn to the best account the gifts with which, by the



bounty of his Heavenly Father, his mind has been endowed.

After a vote of thanks to the Chancellor of the Exchequer for his conduct in the chair, he rose and said:—

MR. MAYOR, LADIES, AND GENTLEMEN,—I trust that you hardly need from me the assurance that I am deeply affected by the tokens of kindness and approval which you have just been pleased to bestow upon me in no common manner and degree. It is not for me to question or canvass the language of eulogy, I fear by much too warm, of which you, Sir, and my honourable friends who moved and seconded the resolution,\* have been so good as to make use. I am too grateful, and too glad to stand in your good opinion, to be myself a fair or impartial judge of those expressions. But I am glad to meet you, Gentlemen, at all times in this great metropolis of our productive industry—I am glad to meet you in Lancashire, the county of my birth and the scene

\* Mr. Bazley, M.P., and Mr. Cheetham.

of my boyhood (cheers)—I am glad to meet you within this noble hall, itself the monument of one of the most beneficent among the peaceful triumphs that have been wrought in the social and civil history of man. (Cheers.) And I assure you that, although you, Sir, are pleased to give me credit for ability to bear the duties of my place, I myself am so sensible of their weight and pressure that, under ordinary circumstances, great as the attractions would have been, I could not have undertaken to visit Manchester for a purpose such as that of to-night during the Parliamentary session. But the circumstances under which my friend Mr. Bazley made known to me the desire entertained here, led me at once to feel, as I communicated to him in reply, that I had no choice to exercise. It was an opportunity which I too dearly prized, because, although unhappily any token of sympathy that it is in my power to render you must be feeble and barren for the occasion, yet that token of sympathy, such as it is, it was impossible for me to withhold. And, Sir, if I felt that the occasion required me to come—if I felt before I had had experience such as

this meeting has afforded me that the object of this Association was a noble and a worthy one,—I assure you that after what I have seen to-night that conviction is deepened and strengthened in my mind. It was impossible to see the candidates who have successfully entered into the examination for certificates and prizes, to watch their demeanour, so modest and yet so manly, as they passed across this platform, without emotion. And I beg now to assure them, one and all, that the few words of compliment or congratulation which I hastily endeavoured to address to them on their way were no words of idle form or ceremonial (cheers), but that they express a feeling deeply seated in my heart. It was impossible to regard them without interest for what they have done, for what they may yet live to do, for the example which they are setting to their own generation, and for opening the path of duty and of honour to those that shall hereafter succeed both us and them. (Cheers.) They are happy, Sir, in this respect, that they live in times when the rising energies of youth are not met on every side, as was

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once the case, even in merry England, with difficulty and with discouragement. There may be many here who have made themselves acquainted with a book that cannot be too widely brought into public notice—I mean the recent publication of a popular author, Mr. Smiles, entitled ‘The Lives of the Engineers.’ (Cheers.) There may be those here who have read the ‘Life of Brindley,’ and perused the record of his discouragements in the tardiness of his own faculties, as well as in the external circumstances with which he determined to do battle, and over which he achieved his triumph. There may be those who have read the exploits of the blind Metcalfe, who made roads and bridges in England at a time when nobody else had learnt to make them. There may be those who have dwelt with interest on the achievements of Smeaton, Rennie, and Telford. In that book we see of what materials Englishmen are made; and I am happy to say that of these materials Lancashire, and surely Cheshire too, possess at least their share. (Cheers.)

These men, whose names have now become

famous among us, had no mechanics' institutes, no libraries, no classes, no examinations to cheer them on their way. In the deepest poverty, amidst the greatest difficulties and discouragements, their energies were found sufficient for their work, and they have written their names on a conspicuous and a glorious page in the history of their country. May you, my younger friends, be enabled in like manner, bearing up, where it touches you, against the pressure of the present times, to put your trust, as they put theirs, in an Almighty Providence! May you be enabled to imitate their noble example, to develope by patience and by resolute labour the gifts that lie within you! and rely upon it, that earnest strength of will and humble courage will never lose their reward. You have human friends around you, and you have inward aids afforded to you, for the Almighty has given to every man who desires to improve himself and serve his country the means to effect that aim and render that service. May His favour be with you and prosper you! May your numbers multiply from year to year, and may the

#### 40 SPEECH BEFORE ASSOCIATED INSTITUTES.

success you individually have thus far achieved be to you, not merely testimonials for the past, but harbingers for the future! May you live the life which on your deathbed you will desire to have lived; and may its course be cheered, for every one of you, by every encouragement and reward which your industry and ability may justly have deserved! (Cheers.)

This brought the proceedings of the evening to a close.

# THE IRISH CHURCH.

## A SPEECH

DELIVERED IN THE HOUSE OF COMMONS ON  
MONDAY, MARCH 1, 1869.

BY THE

RIGHT HON. W. E. GLADSTONE, M.P.

LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1869.





# SPEECH OF MR. GLADSTONE

## ON THE

### ESTABLISHED CHURCH (IRELAND).

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MR. GLADSTONE :

The Motion, Sir, which, in concluding, I shall propose to the Committee is—

“ That the Chairman be directed to move the House, that leave be given to bring in a Bill to put an end to the Establishment of the Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth.”

I do not know, Sir, whether I should be accurate in describing the subject of this Resolution as the most grave and arduous work of legislation that ever has been laid before the House of Commons ; but I am quite sure I should speak the truth if I confined myself to asserting, that there has probably been no occasion when the disproportion was so great between the demands of the subject that is to be brought before you, and the powers of the person whose duty it is to deal with it. I will not, however, waste time in apologies that may be considered futile ; and the rather, because I am conscious that the field I have to traverse is a very wide one, and that nothing but the patient favour and kindness of the Committee can enable me in any degree to attain the end I have in view—namely, that of submitting with fulness and with clearness both the principles and the details of a measure which, as far as regards its principles is singularly arduous, and as far as regards its details, must necessarily embrace matter of a character highly complex and diverse.

Now, Sir, I cannot but be aware that, under ordinary circumstances, any one, who undertakes to introduce to the House of Commons a proposal of grave constitutional change, ought

to commence by laying his ground strongly and broadly in historical and political reasons. On this occasion I shall feel myself in the main dispensed from entering upon them. Under ordinary circumstances, in discussing the subject of the Church of Ireland—I mean, had nothing already occurred in this House or elsewhere in relation to it on which I might take my stand—I should endeavour to pass in review the numerous—I might say the numberless, and powerful arguments which, in my opinion, may be adduced to prove that this Establishment cannot continue to exist with advantage to itself or without mischief to the country. I should be prepared to show how many benefices there are in Ireland where, although there is a Church population, it can hardly be said to be more than an official Church population; for the congregations of those benefices are too often restricted to such as we may reasonably suppose to be supplied by the families of the clergyman, the clerk, and the sexton. I should show, Sir, how buttresses have been devised for the maintenance of this extraordinary system, in the shape of those grants from the Consolidated Fund in this country,—on the one hand to the Presbyterians under the form of the *Regium Donum*, and, on the other hand, to the Roman Catholics under the form of the Maynooth Grant,—without which it was felt that the maintenance of such an establishment in Ireland would be intolerable and impossible. I should endeavour to show how Parliament had been so conscious of the difficulties attending the position which it has held, that it has actually been reduced upon more than one occasion to waste away, by positive provisions of legislation, the property of the Church, in order that its magnitude, when compared with the duties to be done, might not too much shock the public mind. I should endeavour to show how, in past times, and through all the evil years of the penal legislation that has afflicted Ireland, the authorities of this Established Church have unfortunately stood in the foremost rank with respect to the enactment of those laws on which none of us can now look back without shame and sorrow. These chapters of debate, happily, I need not open.

Sir, of the Established Church in Ireland I will only say that, although I believe its spirit to have undergone an

immense change since those evil times, yet, unfortunately, it still remains, if not the home and the refuge, yet the token and the symbol of ascendancy; and, so long as that Establishment lives, painful and bitter memories of ascendancy can never be effaced.

But, Sir, instead of lengthened discussion upon this and kindred topics, I hope I shall be sufficiently justified, by a reference to recent and patent occurrences, in passing at once to the measure of the Government. In mere form, without doubt, this motion is the first—the very first—stage of a great political measure, liable and open at every point to controversy; but in substance we cannot dismiss from our view that we are virtually taking up, and are bound to prosecute, the unfinished labours of last year. I refer to those debates, which formed the main, almost the only, subject of party difference in the discussions of this House during the Session of 1868. I refer to the large majority which, in a House of Commons undoubtedly most conservative in its general spirit, affirmed, notwithstanding, the necessity of bringing the system of religious establishment in Ireland to a close. I refer to the autumn, spent in incessant discussions of this subject before every constituency in the country. I refer to the elections, in which the issue so clearly put was not less decisively answered. And lastly, but not least, I refer to that resignation of the late Administration on which I have not to pronounce one word of censure, but about which I am sure I am justified in stating that it was an unusual course. I have neither to pronounce nor to insinuate any blame; but assuredly I am justified in saying that it forms the most emphatic testimony to the character of that judgment, which has already been pronounced by the representatives and by the people of the Three Kingdoms.

Nor shall I dwell in any detail upon the counter-arguments which have been ably, sincerely, and persistently used in defence of the Established Church. If I now refer to them, it is to do little more than to say that we are responsible for this measure, and shall be ready upon every due occasion, with all respect to those who oppose us, to meet those counter-arguments.

And also for not dwelling on the counter-arguments brought forward on the other side.

It is said, that the measure we are about to introduce will

be adverse to religion. I believe it to be favourable to religion, and to be essential to the maintenance of those principles of right on which every religion must rest. We shall be told, more especially, that it is adverse to the interests of Protestantism; but we shall point to the condition of Ireland, and shall argue from the facts of that condition that the interests of Protestantism have not been promoted, but, on the contrary, have been injured, by our perseverance in a system which reason does not justify. We shall be told, perhaps, that we are invading the rights of property. No possible confidence can be greater than the confidence with which we shall meet that argument. On former occasions, indeed, things have been done by Parliament, under the extreme pressure of the case, which it may be difficult to reconcile with the extreme assertion of the rights of property. There are clauses, and important clauses, of the Church Temporalities Act of 1833, which greatly strain the abstract theory of the rights of property, and which I, for one, am totally unable to reconcile with its general rules. But, so far as I know, there is no imputation that can fairly be made against the measure we propose with respect to the rights of property by any other persons than those who hold what appears to me the untenable—I may even say the extravagant—doctrine, that although Parliament has a perfect right to direct the course of the descent of property in the case of natural descent, of lineage by blood, yet it has no right, when once the artificial existence of what we call a corporation has been created, to control the existence of that corporation, or to extinguish it even under the gravest public exigency. We shall be told also of the Act of Union; and I cannot, nor shall I attempt to dissemble that, on a point which has been described as essential, we propose to alter that Act. The Act of Union has been altered on other occasions, though never for so grave a cause as this; but we shall confidently contend that while we are altering this particular provision of the Act of Union, we are confirming its general purport and substance, and labouring, to the best of our humble ability, to multiply those roots which unfortunately it has never yet adequately struck into the heart and affections of the people. And lastly, Sir, this claim I, for one, confidently,

boldly make on behalf of the measure that we are introducing: I say we are giving effect to the spirit of a former policy. The great Minister, who proposed the Act of Union, neither said nor believed that it would be possible, under a legislative Union, to maintain the system of religious inequality, which he found subsisting in Ireland. On the contrary, he has left upon record his strong conviction that the countenance and support afforded from national sources to the Established Church must be extended to the other religions of the country. I admit that we pursue religious equality by means different from those proposed by Mr. Pitt—[Mr. NEWDEGATE: Hear, hear!] but by means, as I believe, better suited to the purpose we have in view, and certainly more consonant to the spirit, to the opportunities, and I will add to the possibilities, of the times in which we live. Be that, however, as it may, and with all that allowance for difference of means, the end we have in view is the same, and for that end we are entitled to quote the great authority of Mr. Pitt, and the authority of many of those who have followed him in their public career.

Sir, having referred to what I venture to call—although not in any technical or formal sense—the previous stages of this measure, I will briefly remind the Committee of the character of the general declarations by which the late House of Commons was moved to action, and of those pledges—for I do not hesitate to recognise them as such—before the country, which we are now called upon to do our best to redeem. I think, Sir, it was well understood to be the view of those who supported the Resolutions of last year that the system of Church Establishment in Ireland must be brought thoroughly and completely to a close; and that although the word “disendowment” was never embodied in any Resolution of this House, nor, so far as I recollect, was ever accepted without qualification in the speeches of those who most prominently supported the Resolutions in debate, yet, as a general rule, and for every substantial purpose and effect, an end must likewise be put to the system of public endowment for religion in Ireland. While the principles of the measure were laid thus broad and deep, it was likewise professed, and,

The general principles to which the House of Commons committed itself last Session.

I think, to a great degree, accepted by the House, that in all the details, in all the modes of application, the rules not only of justice, but of equity, and not only of equity, but, within every reasonable limit, even of indulgence, should be followed.

And while the measure was thus to be thorough, and thus to be liberal, there are two other great characteristics which, in order fully to realise the desire we entertain, it ought to possess. The first of these, Sir, is, in my judgment, that the measure ought to be prompt in its operation; for it is not for the interest of those with whom we deal, any more than it is for the interest of the country, that—I will not say the Irish Church, but—the Irish Establishment should be subjected to the pains of a lingering death. That promptitude of operation cannot be absolute; it must necessarily be checked by considerations arising out of the vested interests with which we have to deal. But yet, subject to those rules of right and of prudence, it is an object which we ought to have in view in the prosecution of our work. And, lastly, Sir, there is another characteristic which, perhaps, has hardly yet been mentioned in debate, but which appears to me second to none in its importance as determining the value of the provisions of a measure such as this. It is, that the legislation which we now propose, so far as the Irish Church is concerned, so far as the subjects of religious controversy growing out of legislative establishment in the sister island are concerned, shall be final legislation; that it shall put away, out of sight, out of hearing, out of mind if it may be, this long-enduring controversy—a controversy of many generations; and that even should it necessarily happen, as commonly happens in the train of great Statutes, that in this or that point of detail it may require to be either developed or amended, yet the Bill which we propose shall leave no question of principle unsolved, and shall permit every man who takes part in its discussion to hope that when it finally departs from within the walls of Parliament, we shall have heard the very last and latest of the controversy on the Irish Church.

Subject, then, to these great principles, it is our duty—and

I am sure it will be recognised to be our duty—to seek every means of softening the transition that is about to be effected. We must not disguise from ourselves that we are calling upon persons, upon large classes, upon individuals entitled to great respect, to undergo a great change in their position, under the direct action of law. And every motive, that can appeal to the feelings of men of honour and feeling and of gentlemen, must lead us, I think, to own it for a duty so to proceed, that this measure shall carry with it no unnecessary penalty or pain.

Sir, I am bound to say that I think many of those, who may be expected and considered to take a special interest in this measure, have given us in this respect much encouragement. There are many eminent persons in Ireland connected with the Church who have shown a great disposition to meet us in the fair field of discussion, to recognise the judgment which has been pronounced at the tribunal of the nation, and to endeavour to arrive at a just and equitable settlement. Nay, more; even upon that Episcopal Bench of England, from which oftentimes no sounds but those of undying resistance have proceeded, there have been signs upon very recent occasions of a sense that it is a grave duty to look to the future interests of the Church as well as of the Establishment—of the religion, as well as of the property with which it is endowed. And those counsels of moderation, which impose on us corresponding obligations, are likely to prevail, as we may hope, in those quarters during the coming discussions. In Ireland, indeed, it has been left only to one single Prelate—the Bishop of Down—among the Episcopal Order courageously to take his stand on behalf of the principle of settlement and accommodation; and yet I cannot but hope and believe that there are many, even among his episcopal brethren, who are by no means disposed either to prolong the hopeless struggle, or to make demands upon Parliament, as terms of surrender, which it would be impossible for Parliament to grant.

Many Irish Churchmen disposed to accept an equitable settlement.

And now, Sir, I think I may say that I will not trouble the Committee further upon general considerations connected with this measure, but will at once proceed to use the best efforts in my power to convey its character and all its leading provisions to the minds of the Committee, as nearly as I can

Three essential points of time in carrying out the provisions of the Bill.

in the same light, and in the same form, as they present themselves to the minds of the Government. And I think, Sir, searching for a key, by which I may suggest to the gentlemen who hear me the best and most likely method of clearly apprehending the nature of the provisions of the Bill that I now hold in my hand, I will venture to direct their special attention to some points of time; not, indeed, to all the points of time, because some points of time have of necessity been named for secondary and minor purposes; but to the three which I may call essential points of time. With reference to these I will endeavour to state the whole provisions and operation of the Bill, so that the Committee may have, as far as depends upon me, a clear and thorough understanding of the manner in which we shall endeavour to give effect to the judgment of Parliament and of the country.

I. The passing of the Act:

The first of these points of time is the passing of the Act; and I will first describe such of the effects of the Act as are to ensue either immediately upon its passing, or in the provisional and preparatory period which will immediately follow its passing. The second of these points of time is a day named in the Act. At present it stands as the 1st of January, 1871; affording an interval between the passing of the Act—should it, as I trust it will, become law during the present Session—of about eighteen months, or something less, for the preparatory arrangements. But with regard to that day I will presume to say that, while we believe it is distinctly for the interest of the Church itself that this intermediate period should not be too long, and while it is the absolute limit of time which we have thought the best, yet it does not constitute a point of the measure to which, in case the limit is found to be too narrow, we should think ourselves irrevocably pledged. The 1st of January, 1871, therefore, constitutes the second point of time. The third point of time is one which we cannot define as a particular date; but I can describe it by stating the events which will bring it about. It is the point of time at which it shall be decided by the proper authorities that all the subsidiary arrangements connected with the winding up of the Establishment of the Irish Church have been completed, and that thenceforth nothing

II. Jan. 1, 1871:

III. Whenever the process of disestablishment and disendowment has been completed,



remains to be done except finally to apply the property of the Irish Church, which will then have discharged every prior claim upon it, and will remain free for the purposes which Parliament may think fit to indicate.

Begging the Committee to bear in mind these three points of time, I will now proceed to describe that portion of the effects of the measure which will follow immediately upon the passing of the Bill. It is provided in almost the earliest clauses that the present Ecclesiastical Commission, which was appointed for the purpose of administering the Church Establishment and not for the purpose of bringing it to an end, shall be wound up. In lieu of it new Commissioners will be appointed, whose names we shall, at a proper time, propose to insert in the Bill. We think very highly of the responsibility of their functions; and we are very desirous that the men who may be proposed to discharge those functions should be men to whom Parliament shall have already, for the purposes of the measure, given its general approval. We shall propose that this Commission shall endure for ten years; estimating, as far as present circumstances permit us to do, that this will be a term ample or sufficient for all the numerous and diversified purposes they will have to prosecute. In this Commission, upon the passing of the Bill, the entire property of the Church in Ireland will vest, subject to life interests. The Committee will at once see the importance of that enactment. As far as legal and technical disendowment is concerned, it will have occurred on the day when the measure shall have received the Royal Assent, because there will no longer remain in the Church of Ireland any title whatever to its property other than that of the Commissioners, qualified only by those temporary titles which we propose that Parliament should recognise. And all the subsequent arrangements, which may be found necessary, connected with fabrics or with any other points of the question, will be, in a technical, though in no other sense, in the nature of a re-endowment, and will be brought by me separately under your consideration.

Then, Sir, next to the vesting of the property, I have to mention the provision we propose to make for the government and management of the Church during this intermediate

the Ecclesiastical Commission shall be abolished, and a new Commission appointed for a term of ten years, to work out the machinery of disestablishment.

period. Last year we proposed, and passed through this House a Bill, which suspended every appointment in Ireland from the day of its falling vacant; and we trusted entirely to collateral and subsidiary provisions of the law to furnish a supply for the time being of such assistance, as might be necessary for the actual discharge of duties until Parliament should give its further judgment. Now, Sir, it appears to be plain, on the one hand, that those provisions, which I think were very well adapted to the object we had in view last year of reserving the whole matter for the further judgment of Parliament, are not so well adapted to the purpose we now have in view; that is, to apply definitive legislation to the determination of the whole question. On the other hand, it appears to us to be equally indisputable that there is one thing, which we could not consistently or properly allow to be done during this intermediate period. We could not properly allow, after the passing of the Act, the creation of new vested interests for life. We have therefore endeavoured to steer as fairly as we can between these difficulties; on the one side, proposing not to be parties to the creation of new vested interests, which I think every one will see would from our point of view be highly inconsistent; and, on the other side, being equally anxious that the Irish Church, at a period when all its Ministers and members will be called upon to exert themselves to the utmost in preparing for the future, should not be subjected to the disadvantage of a crippled ecclesiastical organisation. What we, therefore, propose is, that appointments may be made, generally speaking, to the spiritual offices without investing the person appointed with a freehold; that such person may receive during the interval the income, as nearly as it can be calculated, which he would have received if he had taken the freehold in the ordinary course, but that his title to it shall terminate when the provisional period is at an end, and when the links which connect the Establishment with the State are finally broken. With respect, in particular, to episcopal appointments, the provision we propose is as follows. We think it very desirable, after once the Statute shall have passed for disestablishing the Church, to separate the Crown from the exercise of its old Prerogative within the Church. We therefore propose that

Filling up  
of vacancies  
during the  
period of  
transition.

episcopal appointments may be made by the Crown, but only on the prayer of the Bishops themselves of the provinces of Ireland to consecrate a particular person to a vacancy. Such appointment, if made, will carry with it no vested interest, nor would it carry with it any right of peerage. The Irish Church, being engaged in perfecting its organisation for the future, will probably desire to have none among its sees or perhaps even rectories vacant, but to have, so to speak, a staff fully adequate to deal with the coming contingency. With respect to the exercise of Crown patronage as to livings, our view is this. While we take it for granted that, at any rate as a general rule, these livings would be filled up in the interval, they would be filled up on the same footing as bishoprics. In regard to the temporalities, the present Advisers of the Crown, in making appointments wherever they have by law a right of patronage, would desire to be guided, within the limits of reason, by the advice and recommendation of the ecclesiastical authorities. I think that is all I need say as regards the intermediate system that we shall now propose in lieu of the suspensory clauses of the Bill of last year; except that in one point they would correspond more strictly with the provisions of the Bill—namely, in this, that the Commissioners would be inhibited from laying out money for permanent purposes, such as the building of new churches during the interval, and would only be authorised to expend money for the purpose of substantial repairs, for the fulfilment of engagements actually entered into, and for the necessary charges for the becoming performance of Divine worship in the same manner as heretofore. So much for the scheme in relation to suspensory clauses.

The next important enactment which will take effect immediately on the passing of the Bill is this. It is well known to the Committee that certain disabilities affect the collective action of the clergy in Ireland, and although the Convocations of England sit and have just been sitting, yet it is not in their power to pass, or even to discuss with a view to passing, any canon, or regulation in the nature of a canon, without the assent of the Crown. In Ireland the case is different, and more adverse to the action of the Church; for there the Convocation has in point of fact never acted at all,

Obstacles to  
the revival  
of the Con-  
vocation of  
the Irish  
Church.

excepting upon some very few occasions which may be specially pointed out; and the latest of those occasions, if I remember right, was a century and a half if not fully two centuries ago. But besides the total disuse of that ecclesiastical machinery, and the difficulty in which the Crown is placed, when it is called upon to revive or be a party to the revival of that which has never worked at all for 200 years, and with respect to the working rules of which there are, even among lawyers, very grave doubts, there are in Ireland special provisions of the law called the Convention Act, which, though passed for purely political purposes, has the effect of preventing the clergy and laity of the Church from meeting in any general assembly. It is understood, I believe, that the clergy and laity of a Diocese may meet; but that the Church at large is incapacitated from meeting.

The Church, when dis-established, should have complete freedom; this is not in-clusive separation from the Church of England.

Now, it will, I presume, be deemed on both sides of the House to be obviously just and necessary, that all disabilities whatsoever, which in any manner fetter the action of the Church, with reference to legislation for the future—and when I speak of legislation I mean private legislation having for its subject matter voluntary contracts and regulations—ought, upon passing a Disestablishment Act, to be at once and entirely swept away. When I speak thus, let it not be supposed that I intend to insinuate any opinion to the effect that such a measure either is likely to cause, or ought to be wished or desired to cause, a religious or spiritual separation between the Church of Ireland and the Church of England. The words of this measure have been carefully considered in reference to the Act of Union, so as to limit, as far as lies in our power, their repealing force to the establishments of those Churches; and we have been very desirous to do nothing which could possibly be held to interfere with their ecclesiastical relationship. At a later period I shall have to state to the Committee what we have thought it our duty to propose, in order to prevent any kind of shock to their internal condition. But of this I am persuaded, that the best friends of religious union between the Dis-established Church in Ireland and the Established Church in England will be those, who will most completely assert the liberty of the former to take its own course. Were we to attempt to

apply to them constraint even in the faintest and feeblest form, for the purpose of seeking to secure their union with us, we should, I believe, engender a re-action, even if such a proceeding were not open to the more palpable and obvious objection that, considering the general scope of our Bill, it would be a proceeding totally and radically unjust.

These, I think, are the positive and most important provisions which we propose as provisions which are intended to take effect simultaneously with the passing of the Bill. There is, however, another provision, for the operation of which we cannot precisely fix a time, because it does not depend altogether on our choice, but which this appears to me to be the proper place to mention. Inasmuch as there must necessarily grow out of the present position of the Church in Ireland, its property, and arrangements, a number of measures that in winding up this great system will have to be considered and discussed between some authority on the part of the State and some authority on the part of the Church, the course which we propose to Parliament to take is as follows. We presume that, during the interval which the Bill will create after the disabilities are removed, the Bishops, Clergy, and Laity of the Church of Ireland will proceed to constitute for themselves, in the same manner as other religious communions have done, something in the nature of a governing body. We therefore take by this measure power to Her Majesty in Council—not to create such a body, but to recognize it when created; and we seek to avoid making Her Majesty the judge, either directly or by implication, whether this body is or is not for all purposes created wisely and well. But in the enacting words of the Bill we should direct the attention of the Crown solely to one point; that it must be a representative body, representative alike of the Bishops, Clergy, and Laity. In point of fact, Her Majesty's Advisers would have to act simply as a jury, and to satisfy themselves that this body so constituted, according to the will and judgment of the Church, fulfilled in good faith the character of a representative body. Her Majesty would then recognize that body as such, and it would become incorporated under

Future organization of the Irish Church.

the provisions of the Act, for the purposes which I shall have presently to describe.

Now the Committee will see how far we have travelled. We have passed through our provisions for the intermediate period; and we are coming to the day fixed in the Act for the principal and conclusive provisions of the Bill to take effect. We have, you will observe, got in operation a Commission, which is to be the organ of the State in giving effect to the whole of our arrangements; and we have given time and every facility which properly belongs to us, not for bringing into operation, but for permitting to come into operation, that organ which we presume the members of the Church of Ireland will appoint, in order to transact their share of the complicated business which will remain to be transacted.

I now come to the second and most important period of time, which stands at present fixed in the Bill as the 1st of January, 1871. On that day, according to the provisions of the Bill, the union created by Act of Parliament between the Churches of England and Ireland would be dissolved, and "the said Church of Ireland hereafter referred to as 'the said Church'"—I am now quoting the Bill—would cease to be established by law. There would be at the same time a saving clause in the Bill to prevent its having any effect on the Act of Union, other than that which is thus strictly limited and defined. On that day, the Ecclesiastical Courts in Ireland would be abolished; the Ecclesiastical jurisdiction in Ireland would cease; the Ecclesiastical Laws in Ireland would no longer bind by any authority as laws; the rights of peerage would lapse on the part of the Bishops; and all Ecclesiastical corporations in that country would be dissolved. The Committee is well aware, that the Church itself is not a corporation, but an aggregate of corporations. I am, I believe, strictly accurate in saying that with these provisions in operation on the 1st of January, 1871, the work of the Disestablishment of the Irish Church would be legally completed.

There is, at the same time, a point of very great importance, which I think this is the place for me to mention. Though we feel it to be a necessary—and it will, I think, be admitted by the House generally to be a necessary—part of

such a plan as this, that it should at once put an end to the force and authority of Ecclesiastical Laws, as such, in Ireland, yet we also feel that it is not our duty unnecessarily to subject that religious communion, now called the Irish Established Church, to strains and inconveniences, with respect to the management of its internal affairs, not required by the scope of our measure. In point of fact, it is not our desire that this transition—this great political transition—should be attended with the maximum, but rather with the minimum, of ecclesiastical change. Whatever ecclesiastical change is made ought, in our opinion, to be the result of the free deliberate will of the members of the Established Church, and not of any shock inconsiderately imparted by crude legislation to its machinery. We therefore propose that, although the Ecclesiastical Laws shall lose their force as laws, in which respect they have a certain relation to the whole community, yet they shall be understood to subsist as a form of voluntary contract, which shall continue to bind together the Bishops, Clergy, and Laity now constituting the Established Church, until and unless they shall be altered by the voluntary agency of the Governing Body, which the members of that communion may appoint. In such a way it appears to us that this great launch—and great launch it undoubtedly is, so far as all the ecclesiastical arrangements, properly so called, are concerned—will be effected smoothly; and I am, indeed, very conscious that this is to be desired on every ground, for, taken at the best, there will be quite enough to tax the energy, the prudence, and the courage of the members of the Church of Ireland in making provision for the great change which we are going to bring about in its internal affairs. The Committee, having followed me thus far, will have perceived that we have now a complete technical disendowment on the passing of the Act, and a complete and actual disestablishment on the day to be named in the Act, and now standing for the 1st of January, 1871.

Next comes a matter, on which I fear it will be my duty to detain the Committee for some time; the task of carrying into effect all those special arrangements by means of which the interests of the parties affected by this great change will have to be settled and adjusted in detail. I am afraid I should, perhaps, alarm the Committee were I to state how

Proposal that the present Ecclesiastical Laws, though not legally binding after January 1, 1871, shall, nevertheless, remain in force, till the Irish Church herself shall see occasion to change or modify them.

numerous those arrangements are. They embrace the vested interests of incumbents—and by the word “incumbent” I wish to be understood as meaning a Bishop or a dignitary of the Church, as well as a clergyman having parochial charge; the vested interests of curates; the case of lay and minor offices; the compensation for advowsons; the provisions to be adopted with respect to private endowments; the provisions with respect to churches, with respect to glebe-houses, graveyards; all of those, of course, being subject to the life interests recognised by the Bill. There are also the arrangements connected with the winding-up of the *Regium Donum*, the arrangements connected with the winding-up of Maynooth, the arrangements for disposing of the tithe commutation rent-charge, the arrangements with respect to the large class of property affected by the perpetuity-purchase clauses, and the arrangements connected with the sale of the Church lands by the Commissioners.

Vested interests of incumbents.

Let me say a word first with respect to that which is by much the largest in amount of all these subjects—namely, the case of the vested interests of incumbents. Now, the vested interest of the incumbent is quite distinct from his expectation of promotion. In all cases of the abolition of establishments, be they civil or ecclesiastical, I am afraid that expectation is a matter into which, however legitimate it may be, it is impossible for us to enter. The vested interest of the incumbent, then, is this:—it is a title to receive a certain net income from the property of the Church. I say from the property of the Church, because I set apart receipts from pew rents, receipts from fees, receipts from other casual sources, with which it is no business of ours to deal. The vested interest, with which we have to deal, is the right of the incumbent to be secured in the receipt of a certain annual income from the property of the Church, in consideration of the discharge of certain duties to which he is bound as the equivalent he gives for that income, and subject to the laws by which he is bound, and in due relation to the religious body to which he belongs.

Therefore I believe the Committee will see, in what sense it is true that, although the Church at large and the congregations at large have no vested interests, and it would be



impossible to recognise anything of the kind, yet both the Church and the congregations are very largely concerned in the vested interests of the incumbent; because his title is not a simple, unconditional title to a certain payment of money, but it is a title to a payment of money in consideration of duty. In the performance of that duty the congregations and the Church are deeply concerned, and I think it will be the opinion of the Committee that it would be unjust to them to expose them to unnecessary disparagement by worsening the conditions under which they now stand in reference to their clergy.

Such then, Sir, is the vested interest of the clergy; and I may here say that although, as a rule, it is for parents to set examples to children, yet, in the vicissitudes of human affairs, it sometimes happens that children may set a good example to their parents. It has happened so in this instance; for the Legislature of Canada, having to deal with a case undoubtedly far more simple, far less difficult and complicated than ours, yet notwithstanding, in this one central and vital subject—the manner of dealing with the vested interests of the clergy upon whose incomes it was legislating, and the permanent source of whose income it was entirely cutting off—has undoubtedly proceeded upon principles, which appear to balance, or rather to maintain very fairly the balance established between, the separate interests of the clergy, and the general interests of the Church to which they belong, and the congregations to which they minister. Substantially, and after allowing for necessary differences of expression, we think the basis afforded by the Canadian measure supplies us with no unsuitable pattern after which to shape our own proceedings. Such being the case, I will briefly describe to the Committee how we propose to deal with the vested interest of the incumbent. The plan will be this. The amount of income to which each incumbent is entitled will be ascertained. It will be made subject to deduction for the curates he may have employed. That I will further explain when I come to the curate. It will be made payable, in the case of each, so long as he discharges the duty. And then there will be a provision that the annuity itself may be commuted upon the basis of capitalizing

Canada an  
example in  
point.

Payment of  
incumbent's  
annuity con-  
ditional on  
discharge of  
his duties,

it as an annuity for life. Therefore the commutation, taking the rate of interest at  $3\frac{1}{2}$  per cent., will represent his whole interest in the income he receives, presuming it to last for life. This commutation can only be made upon the application of the incumbent. He must be the prime mover in bringing it about. Upon his application the sum of money will be paid to that which I shall call, for shortness, the Church Body; but it will be paid to the Church Body only subject to the legal trust of discharging the obligation or covenant which we had ourselves to discharge to the incumbent—namely, to give him the annuity in full so long as he discharges the duties. The effect of that plan of commutation will be that, by means of the Church Body, and of the inducements that will be given to arrangements between the Church Body and the incumbents, we, the State, should escape, as we hope and believe, at a very early period from that which it is undoubtedly not desirable to maintain longer than is absolutely necessary; namely, a direct relation of administrator and recipient between the organs of the State and the individual clergy of the Church. That is the nature of the interest which the State possesses in commutation; and although, undoubtedly, commutation would be an arrangement so far favourable to the Church collectively—and the very same thing will apply *totidem verbis* to the Presbyterians of Ireland—as enabling the Church Body and the individual to adjust their relations, and to make a more economical application of their resources than would be possible under the maintenance of the original annuities, yet the interest of the State in bringing these transactions to a close will be felt amply to justify, and indeed strongly to recommend, some arrangement of the kind.

Well, Sir, sketched in faint outline, that is the mode in which we should propose to proceed with respect to the great subject of life interests. These life interests are in truth by far the greatest—and, indeed, much greater than all the rest put together—of the demands to be made upon the fund of the Church before it becomes free and available for other purposes. I wish, however, to explain what I have not yet stated—that the recognition of life interests, which would be conditional as regards the performance of the duties that are

now the equivalent for the income, would be unconditional in other respects. We should not attempt to interfere, in the main, with the position of the clergyman either as proprietor or occupier of land. In many cases, indeed, as we know, the clergy of Ireland do farm their own glebes. In many cases they let land from year to year. In many cases the land is let upon short leases; and although it would be desirable, if we could, to bring the clergy to give up the position of landlord as soon as possible, we do not propose to effect this result by any forcible or compulsory enactment. Commutation, we think, will offer inducements which will be sufficient for the purpose; but, speaking generally, we do not propose by any compulsory provision in the Bill to interfere with the position of the clergyman in relation to any part of his freehold. There is, however, one exception which I must mention, because it is an exception which, perhaps, has both name and bulk, though as an exception insignificant in every other respect. It is the property of the incumbent in the Tithe Commutation Rent-charge. We propose that the Tithe Commutation Rent-charge shall at once and absolutely, and without any intervening life interest, vest in the Commission under the Act; and the reason is that the Tithe Commutation Rent-charge, with the single exception of a certain amount of fluctuation, which, of course, is rather in the nature of an inconvenience than a convenience to the clergyman, is in every other respect a fixed money interest; and inasmuch as it is very desirable immediately to put in action certain arrangements respecting the Rent-charge, we propose to take it at once into the hands of the Commissioners, the faith of Parliament, of course, being pledged to the payment of the whole proceeds which the clergyman, if he continued to be the proprietor, could derive from it.

but unconditional in other respects.

Tithe Commutation Rent-charge.

Besides the Rent-charge, there is another very small exception which we have thought fit to make. I will speak by-and-bye of the cases of churches which are in use; but there are in Ireland cases of churches wholly ruinous, many of them in graveyards, but many apart from graveyards. In some cases the freehold may be in the incumbent of the parish. We propose at once to dispossess him of that freehold. It may be desirable that these sites should be disposed of, either by

Barren freeholds.

throwing them into the burial-grounds, or in some other manner; but there can be no advantage in keeping up that barren freehold, which, while obstructive of public uses, is totally unproductive of practical results to the clergyman, and is purely incidental to his position as clergyman of a Church established by Law.

Peerages of  
Irish  
Bishops.

There is another change which would be made immediately upon the Disestablishment of the Church, and which it is my duty to bring specially to the notice of the Committee, although probably the view of the Committee will be not only in favour of the change, but is likely to be that, under the circumstances of the case, it is inevitable. The Committee is aware of the peculiar nature of the title of an Irish Bishop to sit in the House of Lords. He has a title to sit there for life, and yet it is but an intermittent title. He is not a permanent member of that Assembly; but he is placed in a certain statutory rotation, which brings him there for a Session, and then dismisses him; in the case of the Archbishop for one, and in the case of the Bishops for two or three Sessions. We have had to ask ourselves, whether it is desirable that a right of Peerage so singular in its character and operation should at all survive the Disestablishment of the Church? I own that, especially as to my own feelings, it is not without some regret and pain that I propose any provision which could seem in the slightest degree to convey a slight or disparagement in point of dignity to distinguished persons whom, as such, I believe to be amply worthy of the honours they enjoy in the House of Lords or elsewhere. But the anomaly is so great, and then, again, it is so obvious that the Irish Bishops are maintained in the House of Lords for the very purpose of representing a national and an Established Church, that—although not without regret, as far as individual persons are concerned—I think we cannot hesitate to propose to the Committee that these Peerages should lapse together with the Disestablishment of the Church. It is because this proposal forms a qualification to the broad principle I have laid down, as to respecting life interests in their integrity, that I have been so particular in calling attention to it.

Now, Sir, I come to the case of the curates; and I hope

the Committee will not be shocked at my endeavouring to state clearly the nature of the provisions we propose with regard to this most meritorious class of men, because, wearisome as it must necessarily be to you to pass through such a wilderness of details, yet there are many hundreds of persons for whom this question may be, or at least is believed by them to be, a matter of life or death, and who wait with the keenest anxiety to know the view that has been taken of their claims. In speaking of the case of curates, I do not speak simply of those clergymen who have entered into transitory and fluctuating engagements for a week, a month, or other short period; I speak of those who are regularly enlisted in the service of the Church as curates; and who, in point of fact, are bound to that office by a long life tenure, unless, as they hope may at some time happen, they should be presented to benefices. I speak of those who in a popular sense I may venture to call the permanent curates of the Irish Church. Now there is a great deal of difficulty to be encountered in dealing with this class of persons; but the Committee will observe that I am not now asking them largely to invade the public or the national fund for the purpose of compensation. In the main I am only studying to secure the due application to the benefit of the curate of those deductions, which we have already made from the income of the incumbent, when proceeding to calculate his annuity for the purpose of ascertaining his vested interest. We propose, then, to deal with the curates as follows. The Commissioners are to determine, who are the curates permanently employed. In some cases the form of the instrument under which they are employed will adequately determine this point; but in others it would not. We propose to leave the matter to the Commissioners, giving also to the incumbent the power of objecting and of showing that A B, his curate, was not permanently employed. It is required, also, in order to enable the curate to take advantage of the provision on this point, that he should have been employed on the 1st of January, 1869, and that he shall continue to be employed on the 1st of January, 1871; or that, if he has ceased so to be employed, the discontinuance of his employment shall be due to some cause other than his own free

Compensation of Curates.

choice, or his misconduct. That will be the test of the eligibility of the curate. Being thus eligible, he would, *primâ facie*, be entitled to have the interest in his curacy calculated for life, he would have a vested interest in it in the same way as the incumbent has in the income of his living or bishopric, and he would be entitled to have it commuted upon the same terms. He would also be subjected to the corresponding obligation to that which would be imposed on the incumbent—that is to say, he would be bound to continue the duties he now performs until he effects an arrangement for commutation; he would be bound to render the same services to the incumbent that he formerly did, or if he cease to render them, in order to maintain his qualification that cessation must be due to some other cause than his own misconduct or his free choice. With regard to the curates of a more transitory class, we have a provision in the Bill which appears to us to be in fair analogy to a similar provision in the Civil Service Superannuation Acts, according to which gratuities may be awarded in consequence of disadvantages they may have sustained. But that is a matter of minor importance and minute detail, upon which I will not at present detain the Committee.

Private endowments.

I come now to the arrangements I shall have to suggest with regard to private endowments; and here it would be as well to refer to a misunderstanding, by no means immaterial, that sprang up in the course of last Session in consequence of an expression used by me. I said, in the course of discussion on the Irish Church, that not less than three-fifths, as far as I could reckon, of the whole money value of the property of the Church would be given back to the Church itself or to its members in any form of dis-establishment that Parliament would probably agree to. It was not generally observed how important a part of that statement were the words "or to its members," which I pronounced with some emphasis. What the Church will receive, under the plan of the Government, I will endeavour to separate from what its members will receive. No doubt its ministers will receive compensation, and the congregations of the Church have a very real interest, if not a vested interest, in those compensations. But with

regard to the Church itself, the proposal of the Government would be to convey to it nothing in the shape of what I may call marketable property—I will by-and-by explain what I mean by that phrase—with the exception of the private endowments which it may have received.

With respect to these private endowments, we do not propose that the enactments relating to them should embrace churches or glebe-houses, because these are dealt with on grounds of their own, which take them out of this category. But there are private endowments in the Irish Church; and although they do not appear to be very large in amount, they are various in form—such as endowments in glebe-lands, in tithes, and in money. And the definition of private endowments we think it fair to take is this. In the first place, it must be money, or money's worth, which has been contributed from private sources. It may have been given by a public character, as, for example, in the case of Primate Boulter and Primate Robinson; but though given by persons holding a public position, its having been given in a private capacity evidently constitutes it a private endowment. But we also limit it by date; and the date we have chosen to propose to Parliament for the limitation is the year 1660—the year of the Restoration. The reason that has recommended the date to us is the fact that the Restoration was really the period at which the Church of Ireland—the Reformed or Protestant Church of Ireland—assumed its present legislative shape and character. Before the wars of Charles I., in all the three Churches of the Three Kingdoms there existed more or less the different elements that finally developed themselves into different forms of Protestantism. These were in conflict together within the bosom of each National Church. In England we had Puritanism and what may be called Anglicanism struggling for ascendancy within the pale of the Church, as we are told in Scripture that Jacob and Esau struggled together within the womb of their mother. In Scotland there was the same struggle, with the exception that there Presbyterianism was undoubtedly in ascendancy. In Ireland, in the same way, Presbyterianism and Episcopacy were struggling powerfully together during the reigns of James I. and Charles I. It may not be known to all who

Definition of  
the phrase.

Why limited  
by the year  
1660.

hear me—though it ought to be known, and it tends strongly to justify us in not going back beyond the Restoration—that the very confession, the doctrinal confession, of the Irish Church in the reign of James I. and of Charles I. till 1634 was not the same as that in England. It was modelled by Archbishop Ussher upon the very highest Calvinistic frame, and it included nine articles, which composed a document well known in England under the name of the Lambeth Articles, drawn up in the latter end of the sixteenth century. I hope I shall not wound the feelings of any man when I say that those Articles were undoubtedly one of the most formidable collections of theology, which ever proceeded from the pen of any Divines in the whole history of Christendom. The Confession, then, was different in spirit from the Thirty-nine Articles of the Church of England. And the constitution of the Irish Church was likewise practically different. Presbyterianism, I know, was not formally or legally recognised by law in Ireland; but it had a real or practical recognition in Ulster, which was occupied by Scotch rather than English colonists; and these Scotch colonists were, I apprehend, for the most part Presbyterians. I find no proof that, when a Presbyterian minister went over from Scotland to Ireland, he was obliged to submit to re-ordination; on the other hand, in cases where a candidate was to be ordained for a parish of Presbyterian opinions or sympathies, we are told that the Bishop did not, as with us, ordain by his own authority, but appeared and took part as a simple Presbyterian, sometimes obtaining this almost as a favour and by solicitation. Even if we could trace the private endowments back to so remote a period, the first effect would be to raise a smart controversy between the friends of Presbytery and of Episcopacy. But when we come to the time of Charles II., we reach a period at which the ecclesiastical condition both of England and Ireland became perfectly distinct. At such a period we may with propriety ask you to distinguish between private and public endowments, because we know historically that a man, at any rate, then knew what he was doing, and the fair presumption arises that if he gave his money to the Church, it was for the support of that special form of religion to which he belonged, and to which it is now applied



That will be the definition we propose to take with respect to private endowments. They are not very extensive in the Church of Ireland, but some among them are of extraordinary interest. Take the case of the parish of Laracor, the parish of which Dean Swift was Vicar, before he was transferred to the Deanery of St. Patrick's. When he went into it, Laracor had a dilapidated glebe-house and one acre of land. He left it with a good glebe-house and twenty acres. He improved and decorated it in many ways. It is sad and melancholy to learn—if only we look upon this place as one of the memorials of so great a man—that many of the embellishments, or what our Scotch friends would call “amenities,” of the place, which had grown up under his fostering hand, have since been effaced. He endowed the vicarage with certain tithes which he had purchased for the purpose; and I doubt whether it is generally very well known that a curious question arises on his bequest, because a portion of his property—consisting, I believe, of those very tithes—was left by him for what he calls—I never knew the term to be used elsewhere—“the Episcopal religion then established in Ireland.” But that extraordinary man, even at the time when he wrote that the Irish Catholics were so down-trodden and insignificant that no possible change could ever bring them into a position of importance, appears to have foreseen that a day must come, when the ecclesiastical arrangements of Ireland would be brought under a strict scrutiny and reckoning; because, not satisfied with thus leaving the property to maintain the Episcopal religion, he proceeds to provide for the day when that Episcopal religion might be disestablished, and be no longer the national religion of the country. Apparently by some secret intimation, he foresaw the shortness of its existence as an Establishment, for he left the property subject to a condition that in such case it should be administered for the benefit of the poor.

Dean  
Swift's en-  
dowment.

The whole value of the private endowments, as far as we have been able to ascertain, is not more than 500,000*l.* between land tithes and money. But in this case my figures are very uncertain. I may here observe, that I think the Committee will recognize the fairness of a step which we propose

Value of  
the private  
endow-  
ments.

to take. There may be a good deal of legal research and legal expenditure requisite in order to obtain evidence upon titles. We propose therefore to authorize the Commissioners to allow the parties their reasonable expenses, in cases where they think those expenses have been fairly undertaken in ascertaining the title and establishing the fact of private endowments.

How the  
churches  
(fabrics) are  
to be dealt  
with.

I now come to the churches; and I will explain the way in which we propose to deal with them. But when I speak of churches, I mean principally—indeed, I may say exclusively—churches which are in use by the present Established Church. Now, it is quite evident that churches cost a great deal of money to erect, but that when erected they do not properly fall within the category of “marketable property.” Buyers would not easily be found; and in Ireland, as far as I can understand, there is no great insufficiency of churches (in the Establishment there is a profusion) among the Presbyterians or the Roman Catholics. Many will regard this question as one of feeling: to them I need address no argument. To others, of what is called a practical turn of mind, I would urge the hard fact that churches, especially country churches, are in general inconvertible, and are therefore not to be regarded as marketable property. Therefore we have no doubt whatever that, subject always to the general though not legal obligation of applying them to religious purposes, we shall be right in proposing that the churches of Ireland should be handed over to the Governing Body of the Disestablished Church with as little difficulty, impediment, or embarrassment, as possible. What we propose, therefore, is that, without any trust, those churches may be taken on the simple declaration of that Body that it is their intention to take and maintain them for the purposes of worship; or else to take them down, where they may think expedient, for the purpose of substituting for them new churches, which the Governing Body may desire to build, and which may be more convenient, especially having reference to the altered temporal circumstances of their community. Under these circumstances, I have no doubt the chief part of these churches will be taken over by the Governing Body of the Disestablished

Church; but whether that be so or not, it is our duty to make provision even for the accidental case of churches which may be refused. If then a church be not taken over by the Governing Body, we are not led to think that it would be expedient for Parliament to contemplate its actual transfer, under operation of law, to any other religious community; nor are we led to believe that it would be generally desired by any other body. We, therefore, take a general power to enable the Commissioners to dispose of the site, or of the building itself, or, more probably, its materials.

Now there is a case on which I should say a few words, because I think it is one in which equity requires, or recommends, that we should make a small allowance from the ecclesiastical fund to the Disestablished Church. Unhappily, in Ireland there are not copiously scattered, as in England, churches which are beautiful and wonderful specimens of art, and which form one of the richest portions of our national treasures; but here and there in Ireland there are churches of that class. I need only mention one which has been before the public in a peculiar manner of late years—the Church of St. Patrick in Dublin. We cannot, Sir, but admit these two propositions. In the first place, that it is desirable that such churches should be maintained; that it would not be favourable to the credit or character of the country that they should fall into decay; and the second proposition is, that the maintenance of such fabrics may be more than we have a right to expect from the voluntary contributions of an ordinary and local congregation. If such a congregation, founded on a voluntary basis, should think fit to erect for itself such a church as St. Patrick's, or as Westminster Abbey, it will be for them to be responsible for its maintenance; but with respect to those fabrics which have been erected, and have been held under the expectation of permanent maintenance, we propose—subject to very careful limitations, for we confine the number to twelve at most—that the Commissioners should be authorized, where it is desirable that a church should be maintained as a national monument, and where it is found that the maintenance would be too heavy for a voluntary congregation, to allow a moderate sum in aid of its maintenance to

Provision  
for keeping  
certain  
churches in  
repair as  
national  
monuments.

those to whom it is made over. This is not a very large or important provision, but it seems to be one recommended by the distinct equity of the case.

I will now say one word with regard to those churches in Ireland which are not in use. Some of these are national monuments of a curious and interesting character; and, at the same time, as in the case of the churches at Glendalough, they may not be suited or adapted for restoration with a view to public worship. Therefore we propose that such churches should be handed over to the Board of Works, with an allocation of funds sufficient for their due and becoming preservation. In other cases where there are remains of churches and sites of churches they might sometimes be thrown into adjacent burial-grounds; or they might be taken and restored by one of the religious communities of the country. Their value in money is wholly insignificant; and we ask Parliament to give power to the Commissioners to make them over to those communities, if they shall see cause.

Glebe-  
houses.

The next question, I am sorry to say, is, like that of the curates, one beset with complications. It is one which was before the House last year; but with respect to it my own views are very much qualified, or, indeed, I may say, almost transformed, by the state of facts, with which since then we have become more accurately acquainted. It is the case of the glebe-houses; and I wish when I speak of them to include the see-houses, as I included the Bishops when I spoke of the incumbents, because, in all essential respects, they stand on an analogous footing. With respect to the glebe-houses, it is exceedingly difficult to analyze the sources from which the means of building them have proceeded. Parliamentary grants have had a share of it; and private endowments have had a share of it; but the greater part of those funds has hitherto been supplied by amounts deducted from the incomes of the clergy, under Acts of Parliament, enabling them to charge their successors as well as themselves. Therefore a nice and knotty question arises, as to whether money so obtained is to be regarded as a public or a private endowment; and I can imagine a whole night spent in the discussion of this question alone. The greatest difficulties have arisen upon this point, and I say it.

for one, have inclined sometimes one way and sometimes another with reference to it. But as, in the case of the churches, there are some men of a practical turn of mind, not perhaps easily touched on the side of their imagination, yet whose minds would be materially influenced by the observation that churches were not a marketable property; so the same feeling obtains as a general rule with respect to glebe-houses, the value of which, while immense to the body that may possess the churches, is very small indeed to any other persons. How correct I am in making this statement the Committee will be enabled to judge when I inform them, that we can trace an expenditure upon glebe-houses—not including sites—amounting to 1,200,000*l.*; and yet the whole of the present value of Their value. them in Ireland, including the ground upon which they are built, is estimated at only 18,600*l.* per annum. [*Murmurs from below the gangway on the Ministerial side.*] I hear a good deal of murmuring from some quarters of the House, and I am not surprised at it, because when these facts first came to my knowledge I murmured very much myself. [An hon. MEMBER inquired whether the sum mentioned included the value of the glebes?] Certainly not. Indeed, Sir, if I wanted to confuse the matter thoroughly, I could not do better than discuss the glebe-houses and the glebes together.

I have alluded to this point, because I desire to draw a distinction between the title of the Church to what may be looked upon as property, since it can be converted into a sensible amount of money, and its title to that which, however valuable to it as a body, has little of marketable value. However, I do not at all wish to be understood as saying that the glebe-houses of Ireland are worth nothing. On the contrary, I will prove to the House that to the State at least they are not worth nothing, and I will do so by showing that we shall not get hold of them without paying for them; since, unfortunately, they are saddled with heavy building charges. It is a singular fact that upon, or rather in respect of, these glebe-houses, which are valued at the present moment, together with their sites, at 18,600*l.* per annum—perhaps we may be justified in adding 20 per cent. to that amount in order

to bring the value up to the rack rental—there should be, in addition to the enormous sums already laid out upon them, a building charge outstanding of about 250,000*l*. This is the exact state of the case, and I cannot put it too pointedly to the Committee. 1,200,000*l*. has been already laid out upon this property, of which the annual value, according to the tenements' valuation, amounts to no more than 18,600*l*., and a sum of 250,000*l*. is still payable on account of a building charge for the glebe-house—a sum which must be paid in order to enable us to come into legal possession of it. Now, that is not certainly a very inviting prospect. I confess I was greatly astonished, when I found that property, which last year I proposed to treat as convertible property of very considerable value, turned out to have this large charge outstanding on account of it, and also to be of such comparatively small marketable value. However, such as it is, we of course propose to take it.

If the statement I have made prove to be inaccurate and, should it turn out that the glebe-houses are of more value than I am now stating them to be, what I am about to say will be subject, of course, to re-consideration. Assuming, however, that my information is correct with reference to the value of this property, then it appears to us, that the best course we can adopt under the circumstances is as follows:—

This building charge, which will have to be paid by us in the first instance, is not uniformly distributed over the whole of the benefices. It is probable that in some cases it will amount to almost the full marketable value of the house, while in others no building charge at all will have to be paid. The necessity of paying the building charge where it exists is binding upon us, because in every case the incumbent would have been entitled to hand it on to his successor; and, consequently, when the incumbent dies or commutes under the provisions of this Bill, either he or his family will be entitled to hand it on to us as standing in the place of his successor. We are, therefore, bound by law and by justice to discharge this obligation; and we are not in a condition to exercise any discretion in the matter. We shall come into possession

of the glebe-houses only when the existing life interests are exhausted, because our interest, by the Bill, is only in the nature of a reversionary interest in the property; and then we shall have to pay the amount of the building charge still outstanding at the time. Having come into possession of the property upon those terms, we shall assume that the glebe-house, where the benefice is fully charged for it, is no property at all; but we shall still regard the land upon which it stands as valuable property; for even if the house is of no use to any one, there will always be somebody ready to give a rent for the garden. We propose, then, to say to the Church Body, "You have taken the church, and you may now negotiate with us for the land upon which the glebe-house is built, and also, if you think proper, for a small glebe not exceeding 10 acres in extent of adjacent land, which we will sell you at a fair valuation." But we shall add, "Where you take the land you may take the house; but you must reimburse us the whole of the building charge we have paid in respect of it, subject to the limitation that it shall not exceed ten years' valuation." For that is really as much as we think we can fairly expect to be paid for it. After a great deal of consideration, and after finding that the treasure we believed we should possess in the glebe-houses was merely visionary, we have come to the conclusion that this is the best plan we can adopt in dealing with this description of property.

It has been said that facilities ought to be given, although not in the way of grants of money, to the members of other communions, for the purpose of enabling them to erect glebe-houses, and to acquire limited glebes, for themselves. Now, that is a principle which has been already adopted by Parliament in the case of the Act of William IV. under which public money was advanced—subject to somewhat onerous conditions, it is true—to the Roman Catholics and the Presbyterians of Ireland for the purpose of building glebe-houses. Although we have not inserted any clause to carry out such a proposal in the present Bill, we think it may be desirable that loans for this purpose should be granted upon easy terms, contemporaneously with the arrangements for winding up the Ecclesiastical Establishment. At the same

time, it will be necessary to limit the operation of that system within a certain period of time, because we think it is open to considerable doubt whether it would be desirable to keep a law of that kind permanently upon the Statute-book, seeing that it might possibly lead to something like religious controversy in Ireland.

Disposal of  
the Burial-  
grounds.

The question relating to the burial-grounds may be disposed of very shortly. I propose that the burial-ground belonging to a church in use shall pass along with it to the Church Body holding the fabric; provision, however, being made in all cases for the preservation of existing interests in the burial-ground. It is known to the Committee that the law in Ireland, as recently adjusted, with respect to burying-grounds, is very different from, and is much more favourable to the public than, that in force in England. Now, one effect of the measure, which we propose, might be to place the public in a worse position than that in which they now are; because the facilities for using burial-grounds which now exist, with a staff of 2000 clergymen distributed over the country, might be very much reduced if a Roman Catholic or Presbyterian often had to send his notice to a clergyman who might live half a dozen miles off. We shall, therefore, reserve to Parliament the right of further legislation, should that prove necessary. With respect to all other burial-grounds—and they are very numerous in Ireland—not attached to churches in use, we propose to give uniformity and simplicity to the law by handing them over to the Guardians of the Poor to be applied for the general benefit.

I think, Sir, I have now concluded the winding-up arrangements of the Bill as far as the Established Church is directly concerned. There still remains, however, a portion of them which, although not very extensive in amount, yet is of very great importance, and one which, I am bound to add, is by no means free in all its bearings from difficulty.

Cessation of  
the Relation  
of the State  
to the  
Church.

It was at all times part of the view of those who proposed the Resolutions of last year, that with the Disestablishment of the Church must come the final cessation of all relations between the State and the Presbyterian clergy in Ireland, and likewise between the State and the College of Maynooth.



I have now to consider in what manner effect is to be given to that conviction, which was strongly entertained by the House, and which was, in fact, embodied in a fourth Resolution passed by the House during the Session of 1868, and added to the other three Resolutions which had been previously agreed to. The sum which we have now to deal with is an annual sum of over 70,000*l*. Of that amount 26,000*l*. a year constitutes the Vote for Maynooth, and between 15,000*l*. and 50,000*l*. is the aggregate of the Votes given for the various communities of Presbyterians. And now, Sir, we are no longer dealing with a simple and single body of religionists, known to the law as the Established Church, but we are dealing with classes which, in point of religious opinion, fall under a threefold division. The chief interest now before us is that of the Old or Scotch Presbyterians, as I may call them for distinction's sake; the next is that of the minor bodies of Presbyterians, who are separated in Ireland from the main body, not only by religious communion, but by grave differences in matters which are thought to lie at or near the foundation of the Christian Faith. There are three or four of these bodies, such as the Remonstrant Synod of Ulster, the Presbytery of Antrim, and one or two more, who fall into this second class of religionists; these, or some of them, entertaining what are called Arian, or Unitarian, opinions. Lastly there are the Roman Catholics, sufficiently known to us to dispense with the necessity for any description as regards their religious opinions. If, Sir, I refer to these distinctions of religious belief, it is only for the purpose of stating, in the broadest manner, that, on the part of Her Majesty's Government, I entirely decline, on the present occasion, to enter into such matters. I will not for one moment ask what are the theological or the religious peculiarities of those bodies, professing the Christian name, with whom we are to deal; but I will endeavour to deal with them strictly, impartially, and equitably—on the principles of civil justice, which apply to them all alike, and which would render it iniquitous and wrong here to raise controversial questions in regard to them on matters of religious belief. The ground they stand on is that of citizenship—

The Presby-  
terian In-  
terest.

the claim they urge is that of general equity and good faith. We, the Government, have recognized that claim. I am confident that Parliament will recognize that claim, in the case of the Established Church. Let us endeavour to proceed upon the same fair, and just, and liberal though moderate and prudent, recognition of it, in the case of these bodies exterior to the Established Church.

Now, as respects the larger part of this sum of 70,000*l.* a year, there is no difficulty, when we come to look at it in the light of a purely civil interest. Most of it is given in the shape of a direct Vote of so much money passing immediately from the State to the individual through the Synod; but in all cases, the nature of the vested interest or expectancy—call it what you like—is the same. All we have to do in the case of the Presbyterian clergy is to take substantially the same course, as with respect to the clergy of the Established Church. Take the question of income—which here being a mere matter of money can be at once ascertained. It is not given to the minister for nothing, but on the condition of the performance of duty. Hence, with a slight modification in his favour, which I need not here mention, a similar claim will arise in the case of the Presbyterian minister to that which I have already explained in the case of the Episcopal Incumbent; and the Bill also will give to him a power of commutation in every substantial respect corresponding with that proposed to be made for the clergy of the Established Church.

Presbyterian Assistants and Successors.

So far with respect to the clergy, and to life interests proper. But, beside the ministers who perform spiritual offices in particular congregations, there is another class that appears to us to have a claim; they are what are called Assistants and successors. Now these gentlemen are in a condition, not indeed as to the abundance of the interest at which they are ultimately to arrive, but otherwise, I take it, legally in a condition, not very far removed from that of an heir of entail; they are already appointed to the assistant pastorship of a particular congregation; they derive no benefit from the *Regium Donum*, but the office of assistant which they hold entitles them to succeed after the death or resigna-

tion of the incumbent; and consequently it is urged that they have a just claim to the expectancy created by that right of succession. This is not a very large matter, and will present no practical difficulty. The amount at issue consists only of the difference in value between the life of the incumbent and the younger life of his successor; but to that extent we think it just that the claim should be provided for.

Then, Sir, we come to another class—the teachers of Presbyterian educational institutions, principally under the General Assembly of the Presbytery of Ulster. With regard to them, though they are not ministers, but professors only, we propose to deal with them precisely in the same manner as if they were pastors of churches, and to assure to them their salaries, together with a like power of commutation. But now comes a greater difficulty, with respect to those educational establishments to which I wish to call the attention of the Committee for a few moments. When we dis-establish a Church, and when a particular congregation ceases to have a pastor found for it by public funds, it feels an immediate want, and a stimulus is applied to it to satisfy that want. But when you deal with an establishment for educational purposes, a rather different order of considerations comes into play. There are several points which ought to be taken into account, although I will not say precisely what amount of weight is to be given to each one of them. When dealing with Presbyterian education, we have also to deal with the College of Maynooth; and the latter is a subject of difficulty of its own, and in this way:—we have no such relations with the Professors and Principal of Maynooth, as we have with the Presbyterian ministers and professors. We know nothing of the details of the arrangements made by the Trustees of Maynooth with reference to the expenditure of the public grant. We have chosen to constitute a Trust by the authority of an Act of Parliament, and to that Trust we have committed the disposal of the grant which Parliament has thought fit to make. Well, now, what is the experience of England? The experience, in particular, of our training colleges, and the difficulty of developing private resources

Teachers of  
Presby-  
terian Edu-  
cational  
Institu-  
tions.

for their support, prove that there should be some consideration in dealing with establishments for education. I ought not, perhaps, to bring into the present discussion the case of Trinity College, Dublin, for Her Majesty's Government make no proposal upon that subject at the present time. But it is perfectly plain that if the House and the Legislature should adopt the measure that we now submit to it, Trinity College, Dublin, will at no distant date have to be made the subject of legislation. It is also, I think, quite plain that it will be impossible to maintain the present exclusive application of the revenues of Trinity College to the purposes of a governing body and staff wholly connected with one religious persuasion. It is quite possible that Parliament may apply to Trinity College the same lenient method of dealing which it commonly adopts, and may think fit to leave some moderate provision applicable to the rearing, or to the teaching, at least, of churchmen and of the clergy, who will, as a clergy, become dependent entirely upon the resources of a voluntary communion. But undoubtedly when we come to deal with Trinity College we shall feel the force of this argument, that to put a sharp termination to the career of an educational establishment is a more trenchant operation than to do the same with the machinery for providing a parochial ministry, because there is a much stronger stimulus to persons to provide themselves with clergymen in the one case, than in the other there is to induce them to maintain schools in which these clergymen can be trained. These general considerations, at the same time, are considerations which I know must not be pushed beyond their proper limits. I hope the House will think, when I come to the end of this long and wearisome statement, that whatever the Government have done they have endeavoured to keep strict good faith. I believe that I have announced no proposal as yet to which that character will not be held to apply when it is compared with our former declarations; and I trust that my announcements will remain the same to the end of the chapter.

I have now to consider in the light and spirit of our general arrangements, and, subject always to the full maintenance, in letter and in spirit, of that which we have heretofore declared, what appears to us the more equitable method

The disestablishment of the Irish Church will necessitate legislation in regard to Trinity College, Dublin.

of dealing with some remaining fractions of the *Regium Donum*, with the Grant to Maynooth, and any similar grants. The Presbyterians are interested in this matter, not only in respect of the Collego which they have in Belfast, but likewise in respect of a similar institution which exists for the benefit of minor Presbyterian bodies; the Roman Catholics are interested in it, through the Collego of Maynooth; but there are also several other payments made by Parliament which, on the whole, fall under very much the same class of considerations. There is the payment made by Parliament to what is called the Presbyterian Widows' Fund. Now that Fund, of course, exists for the purpose of supplying wants that are coming into operation from year to year, and it would be very hard to withdraw that Widows' Fund without notice. In the same way it would be hard to withdraw, without notice, the grants now made to Presbyterian educational establishments and to the Collego of Maynooth. There is another class of payments made by the Presbyterians to their Synodical officers. They hold an office regarding which it is very difficult to define the degree, in which it should be considered as a vested interest. But when we look at the whole of these matters, and read them in the light of the declaration and proceedings of last year, we have adopted—first, the principle that no permanent endowment can be given to them out of the public resources properly so called; and, secondly, the principle that no permanent endowment can be given to them out of the National Ecclesiastical Fund of Ireland. What we propose—and we think it a fair and equitable proposal—is that, in order to give time for the free consideration of the arrangements and the construction of scales for the satisfaction of life interests, and for avoiding violent shocks and disappointments to those whose prospective plans for life may already have been made for them by parents upon the supposition of the continuance of arrangements which have so long existed, and which were, in the case of Maynooth, very solemnly made, there should be a valuation of the interest of all these grants as a life interest upon a moderate scale, or say at fourteen years' purchase of the capital amount now annually

Presbyterian  
Widows' Fund.

voted. [Sir STAFFORD NORTHCOTE: The annual amount?] Yes, the annual amount. It is in the case of ministers of religion strictly a life interest, and it is to be commuted as a life interest is commuted, upon the age of the individual. That age varies. In the case of Presbyterian ministers, as there is a very large number of years, that amount is high. In the case of Bishops and dignitaries it is somewhat lower. We take fourteen years as, on the whole, a fair amount representing these different rates. We propose to treat, then, these miscellaneous grants as substantially life interests; and the payment is to be analogous to that made on other life interests, and this plan is intended to wind up and close all the relations between those bodies and persons and the State.

Now, Sir, I am coming in sight of port; but I have not yet closed my task. There are two or three points which will not take long to deal with, apart from the question of religion and from all matters of controversy, but which are of so much interest to gentlemen connected with Ireland, and especially the land of Ireland, and some of which likewise have so innocent and beneficial a bearing on the land question of Ireland, that I must beg for a little more of the indulgence of the Committee. First of all, I would proceed to explain what I fear some of my hearers will think ought to be placed in the category of financial puzzles. If they do not entirely follow me I will ask them, without understanding me, to believe what I say, and, waiving for the present all copious detail, I will undertake to make it good upon a future occasion. It relates to the important subject of the tithe rent-charge of Ireland. I have already said that we attach great importance to the merging of the tithe rent-charge; and for that reason the Commission will step into the possession of it immediately after the passing of the Act. Well, if there be here any hon. Gentlemen possessed of land in Ireland—and there are many—they will not be very grateful to me for what I am going first to state. It is that we shall give to them unconditionally the tithe rent-charge at twenty-two and a half years' purchase. That is, of course, twenty-two and a half years' purchase, not of the old gross 100%, but of the 75% a year as determined by the Tithe Act. We make

Tithe Rent-charge.

that offer, because we think there may be landlords in Ireland, who will be disposed at once to wind-up the arrangement with us on these terms. But if Gentlemen will listen to me, they will see that we have another alternative for those who may not be disposed to purchase the tithe rent-charge out-and-out in money down at twenty-two and a half years' purchase. It is this. We make to them a compulsory sale. I have not the least idea that any one will object to it. We shall convey the tithe rent-charge to them under the following conditions. We shall charge them in our books with 2250*l.* for every net 100*l.* a year of tithe rent-charge. That is to say, we sell them a tithe rent-charge at a rate to yield them  $4\frac{1}{2}$  per cent. We then credit them on the other side with a loan of equal amount. We provide that they shall pay off that loan by annual instalments, with interest. But the rate of interest to be charged on the instalment is  $3\frac{1}{2}$  per cent. The consequence of that is that a fund of 1 per cent. will remain as a sinking fund to absorb the principal. The landlord, becoming a purchaser of the tithe rent-charge in that form—except that he will get rid of the fluctuation, for we must give him a fixed amount—will not be called upon to make any addition whatever to his annual payment. He will be liable to that annual payment for a term of forty-five years, and at the close of that term he will, under this arrangement, have the rent-charge, for the residue of all time, whatever it may be, for nothing. That will be the financial effect of the arrangement, which I think will not be a bad one for the Irish landlord. I perceive by the buzz around me that this portion of the subject, at any rate, is not without some interest to a great many honourable Members.

I may here say, that in dealing with this question I have been compelled to lament the necessity under which Parliament has found itself on a former occasion of wasting the property of the Irish Church, in order to prevent its being so great in its magnitude as over much to shock the public mind. We have not proceeded on that principle of wasting the national estate. We have not sought to work down the residue that will remain to be disposed of; but we

have endeavoured to make the most economical arrangements for the interests of that fund, which the equity of the case admits. And the Committee will the more readily give me credit for what I have to say on this subject when I add that, while in this manner we shall obtain twenty-two and a half years' purchase for the tithe rent-charge of Ireland, the average rate at which that charge sells in the market is very little, if at all, more than sixteen or seventeen years' purchase. On the other hand, it is not a bad arrangement for the public, because it may be safely taken as a general rule that the public, in arrangements reaching over a long period of time, are perfectly safe in undertaking to lend, from their deposited monies, at  $3\frac{1}{2}$  per cent.

Perpetuity  
Purchase  
Clauses of  
the Church  
Temporalities  
Act.

There is another point, which need not detain us more than a moment. It relates to what will be in the recollection of Irish Gentlemen—but there are very few still here who were in the House at the period of the Irish Church Temporalities Act—as the Perpetuity Purchase Clauses. They were clauses embodying an arrangement somewhat doubtful for the interest of the national ecclesiastical property of Ireland. We feel that under this Bill equity requires that the persons who are now possessed of a title to purchase under these clauses should not be suddenly deprived of that title. But we also feel it to be impossible, in conjunction with a measure for disestablishment and disendowment such as this, to keep those clauses permanently in existence, in consequence of the highly anomalous and highly inconvenient confusion of interests which they create. We therefore propose that the power to purchase, now in the hands of the tenant, shall remain in existence for three years from the 1st of January, 1871, and if not made use of in that interval it shall then finally lapse and terminate.

In connection with this part of the subject, there arises another question of great and universal interest. The Commissioners, to be appointed under this Bill, or some body which may succeed them, after the difficult and onerous part of the arrangements shall have been disposed of, will, as I think, be the holders of a considerable amount of property.



The first question is, in what form of investment shall that property be held. The perpetuity purchase rents now in existence appear to form, as far as they go, a very eligible description of investment; because they have the certainty of landed income without the incidents of fluctuation, or any of those difficult administrative questions which attach to the character of the landlord. The Committee will, however, agree with me that it is not desirable either that this Commission which we now propose to appoint, or any State authority in its place, should continue permanently to hold the Church lands, which will necessarily come into its possession. Such a Commission is not, and cannot be permanently a good landlord; and it is far better that it should discharge itself, as soon as may be, of duties it cannot properly fulfil. What we propose, then, is that in selling the proprietary rights of these estates the power of pre-emption should be provided for the tenants. And, what is more—indeed, without this addition I do not think I could claim for this provision credit for anything more than good intentions—we further propose that in such sales three-fourths of the purchase-money may be left upon the security of the land, and that the charge so remaining shall be liquidated by instalments, upon the principle adopted in the Drainage Act, by which we make the whole re-payable in twenty-two years. Now, the nature of this proposal the Committee thoroughly comprehend, and I trust it will meet with their approval. It does not bring us as sellers of land into the market in an anomalous character; it does not make the State responsible for duties that it cannot fulfil, and the permanent retention of which is alien from its nature. Not only will it have the good economical effect of materially improving the price that we shall get for the land; but by this means, which is yet more important, we shall try the experiment, on a limited scale, of breaking up properties in Ireland, in a manner which I believe to be perfectly safe, perfectly easy, and perfectly unexceptionable.

In selling proprietary rights of Ecclesiastical Estates, power of pre-emption should be provided for the tenants.

I will now, Sir, give to the Committee the financial result of these operations in a very few words. With respect to the income of the Irish Church I shall say very little, for I have

great difficulty in making out what it really is. The Church Commission laboured assiduously between 1867 and the end of 1868, and they have reported, as the result of their inquiries, that the income of the Irish Church is 616,000*l.* a year. I must say, with very great respect for their sixteen months of toil, that I humbly dissent from the conclusion at which the Commission has arrived. It seems to me that they have placed the revenue too low. I find that one of the Commissioners (Colonel Adair), who is known to have taken an active part in their labours, has within the last fortnight published a statement in which he puts the income of the Irish Church as high as 839,000*l.* a year. I do not place it quite so high as Colonel Adair, nor quite so low as the Irish Church Commission. I conjecture it to be about 700,000*l.* a year, which I think is no unfair statement. So much for the income of the Irish Church. But what we have more to do with is the capital. I have taken the tithe rent-charge at the rate of purchase I propose, and I find that, speaking in round numbers, which I have adopted for convenience throughout, the tithe rent-charge will yield 9,000,000*l.* I have taken the land of all kinds, episcopal and chapter lands, with those belonging to glebes, and putting on them the fairest valuation that very competent persons by whom we are assisted in Dublin can make, I find that the whole undivided value of the lands and of the perpetuity rents, if sold, would be 6,250,000*l.* Besides that, there is money of one kind or another in stocks and banks to the amount of 750,000*l.* I have not attempted to value the fabrics of churches, nor the fabrics of the glebe-houses, because after I have explained how they stand in the tencement valuation, and the charge upon them, I consider it would be idle to include them in this statement as an item of any considerable amount. The result, without taking into account the glebe houses and churches, is that the whole value of the Church property in Ireland, reduced and cut down as it has been—first by the almost unbounded waste of life tenants, and, second, by the wisdom or unwisdom of well-intending Parliaments—the remaining value is not less than 16,000,000*l.*—an amount more considerable than I had ven-

tured to anticipate, when, with smaller means of information, I endeavoured to form an estimate of it last year.

I now come to a delicate part of the case, and one in which the figures must be considered as taken with a rather broad margin. Yet, on the whole, I think they will be found very near the mark, so far as the total is concerned. The life interests of incumbents of all kinds in the Church—bishops, dignitaries, and parochial clergy—will amount I think to about 4,900,000*l.*; and if that appears to any one a large sum, he should recollect that when divided by the large number of persons—2000, if we include the curates—among whom the whole has to be apportioned, it represents a very slender acknowledgment for the labours, expectations, and costly education of those gentlemen, and for the responsibilities, and the honest and good service, with which their respective situations have been held. The compensation of the curates, deducted principally though not entirely from that of the incumbents, will come to 800,000*l.* The lay compensations are not inconsiderable. They will come to 900,000*l.* Of that, something over 300,000*l.*, it is supposed, will be the value of the advowsons; but it is very difficult in Ireland to obtain fixed, clear, and definite rules for estimating their value. The transfer of them in Ireland is comparatively rare, and they are subject to a variety of contingencies which very much impair the means of judgment. It is not a large matter. We put it at about 300,000*l.* The other lay compensations embrace a class of persons who do not much enter into the public view, as we look at this subject generally; but the largest part will be absorbed by the parish clerks and sextons in Ireland, of whom the bulk I believe, like the incumbents, have freehold offices, and must be dealt with on the very same principle as the incumbents. Then there are the officers of Cathedrals, and of the Ecclesiastical Courts; and the functionaries connected with the present Ecclesiastical Commission. These will bring up the amount of the lay compensations to about 900,000*l.* The charge of private endowments on the fund may be about 500,000*l.*, and in that, I may say, in passing, will not be included the result

Lay com-  
pensations.

Amount of  
compensa-  
tion for  
*Regium*  
*Donum* and  
Maynooth.

of a recent Act of Parliament passed by Sir Joseph Napier as to endowments of a particular class, which it is not necessary to bring into this Bill. The building charges, which we shall have to pay, in order to get possession of the buildings, are 250,000*l*. The sum necessary to clear off our engagements, upon the moderate footing we propose, with respect to the Presbyterians and Maynooth will be about 1,100,000*l*.; and of that sum I ought to say two-thirds will go to the Presbyterians, and scarcely more than one-third to Maynooth. I must also here mention two small claims I had omitted. The Presbyterians claim—and I think it is not an unreasonable claim—that, as we admit an educational establishment to require a little more time for transferring it from the old system to a new one, we should give them some consideration in the shape of money in respect of the buildings they have raised in Belfast to meet the Parliamentary Grant. This claim we shall be prepared to concede, subject to the maximum of 15,000*l*. The other is not a claim made by the Roman Catholics, but it is our opinion the concession should be made spontaneously, and that, I think, will be the universal opinion of the House. When the Act of 1845 was passed, it was known to be the intention, that the buildings of Maynooth should be kept in repair at the public charge. The House of Commons modified its views shortly afterwards. The College had no means of meeting the necessary expense except by borrowing; and it has gone into debt to the Board of Works to the extent of 20,000*l*. or more. I think we should all feel that such a debt incurred in past time on account of these repairs, and in consequence of a change of view on the part of Parliament, ought at once to be remitted. Lastly, Sir, I estimate the expense of this Commission during the ten years of its continuance at 200,000*l*.; and that makes my total charge against the property of the Church amount to 8,500,000*l*. So that the property will be divided—for I confess I have some faith in the moderation of my estimate on the credit side—into two nearly equal parts; or, to be quite safe, I may call it 16,000,000*l*., and as the charges upon it will come to

between 8,000,000*l.* and 9,000,000*l.*, the sum at the disposal of Parliament for other purposes will not be less than between 7,000,000*l.* and 8,000,000*l.*

I have now, Sir, done with my first and my second date. We have arrived, then, at a period, let us suppose, when the arrangements I have detailed are all completed; that is to say, so far completed that ample provision shall have been made for their completion in detail. But there is one financial item which, through infirmity of memory, I have omitted. The Committee will naturally ask, how we are to pay the heavy charge that may be entailed by the commutations? because if the commutations are made, and we have every desire they should be made immediately or as soon as possible after disestablishment, they will require, between Episcopalians and Presbyterians, from 6,000,000*l.* to 7,000,000*l.* My answer is that, fortunately, the banking resources of my right hon. friend the Chancellor of the Exchequer are such, with respect to the deposits entrusted to the State by the public, as to cause no serious difficulty on that part of the case; while, as a matter of prudence, we have taken power in the Bill to fix the payment of commutation monies in eight instalments, extending over four years.

And now, supposing that all the arrangements which I have so imperfectly detailed, and which the Committee have listened to with so much patience, are at length completed—that is, so far completed that provision is made for all they can possibly require—I have arrived at the last of my three dates, to which I pointed at the commencement, and I ask a question which will re-awaken the flagging interest of the Committee. How are we to dispose of the residue? I will first state the conditions, which appear to me necessary to be combined in a good plan for the disposal of such a fund. The first two are already fixed—written, I may say, in letters of iron. It is so written that the money is to be applied to Irish purposes; and it is so written that it is to be applied to purposes not ecclesiastical—not for any church, not for any clergy, not for any teaching of religion; and I hope the Committee will see that in thus broadly stating

Disposal of  
the residue,

what I conceive to be the obligations we have come under, I am showing a disposition not to shrink from the fulfilment of those obligations. But there are other requisites that it is most important to combine in any plan for the application of this residue. In the first place, I think there are feelings much to be respected in a large portion of the community; the feelings of those who admit that the time has come when the application of this money must be dissociated from the teaching of religion, but who, at the same time, would desire that its future application should, if possible, be such as to bear upon it some of those legible marks of a Christian character which would be, as it were, a witness to its first origin and to its long-continued use; that it should be applied as nearly as circumstances admit in conformity with what is usually the *cy près* doctrine of Courts of Equity. Another condition of a good plan is, that it must not drag us from one controversy into another. We must not make this great controversy, as yet itself not perfectly solved [*Opposition cheers*]*—yes, but very near its perfect solution—the mere doorway to another set of conflicts and disputes, perhaps equally embarrassing.* One other condition of a good plan is that, the question being Irish and wholly Irish, the plan must be equal in its application to all parties, and, as far as may be, to the whole community in Ireland. Yet one more condition I will mention, to which I for one attach the highest value: the plan must embody a final application of the money. The money must be so disposed of, so attached and annexed to the satisfaction of the permanent wants always inherent in the community, that the day never can come when some Member, rising either upon these or upon those benches can say, “Here you have a fine fund undisposed of in Ireland,” and many suggest some scheme of applying it which shall lead us back into all the embarrassments from which we are now at length vigorously struggling to be set free.

I will mention briefly some of the modes suggested for the application of the money. The division of the fund among Churches only was out of the question, because such a measure would be in conflict with the sentiments of the people, with

the opinion of this House, and with the pledges which we have given, and which must be redeemed. The application of it to education would not fall so directly under the ban as the direct application of it to religion; but to propose to apply these funds to education would, in the first place, raise a just suspicion on the part of our Irish friends that we were endeavouring to get quit of the annual Grants in the Estimates; and, in the second place, it would launch us into a multitude of religious difficulties, and would again complicate the controversy of the National Church with the controversy of the unsolved problems of Irish education. It has been proposed by some that the fund should be applied to public works in Ireland. Those who have followed the history of the great attempt we made at public works in Ireland in reference to the Shannon drainage, will admit that the prospect opened by such a proposal is not very inviting. In the first place, it is a project which would lead to jobbery; and in the next place it would set every part of Ireland at variance with every other part in the scramble to obtain the largest possible portion of the money. In the third place, do what you could to promote equality, the application of the money must be unequal; it must be given to certain districts, and many other districts must in a great degree fail to share in it. And lastly, if this money were to be given in the way of a loan for public works, each public work having ended, and the money coming back, it becomes again available. There is no successor immediately entitled to claim it. We should be open to the charge of great imprudence and impolicy were we to propose to make this fund the source of any system of permanent lending, which would have the effect of opening the way always to new proposals, perhaps of the most objectionable character; nay, perhaps, tending directly to revive our present and past controversies about religion in Ireland. It has further been proposed to apply it in some manner to the railways. But, again, it would be impossible for us to mix the question of Irish railways with the question of the National Establishment in Ireland. I know very well the interest that exists on the subject of railways, and of public aid to railways in Ireland; but I also know that

this is a question of considerable novelty and complication ; and that our duty now, in laying before you a measure for which we claim the credit of finality, is to make some proposal that is obvious and clear in its character, and that does not entail upon you the prior commencement and conclusion of any such difficult inquiries, before you can determine whether it can be adopted or not. It will be the duty of Her Majesty's Government to give the most careful consideration in their power to all the proposals made with respect to Irish railways ; but it would not be their duty to involve themselves and you in new difficulties, by confounding that subject with the subject before us. It has next been proposed that the money should be applied to the poor rate. Such an application, it appears to me, would be a great mistake. I am not in the least degree shocked at the idea that the land of Ireland, and the landlords of Ireland, may derive very considerable benefit from any mode in which these funds can be judiciously applied for the welfare of Ireland. I am convinced that in the course of years much of it must come to them ; but I do not think that upon that account, when we have a system of legal obligation regularly constituted, that system of legal obligation being in satisfaction of a primary want, recognized in almost every country as incumbent upon the property of the country, a sum of this kind ought to be applied directly in relief of property ; and I think if we did so apply it, we should be guilty of a great breach of faith towards the people of Ireland. The people of Ireland are generally Roman Catholic. As Roman Catholics they have scarcely the smallest interest in the proposals I make on this subject. In fact, I am almost ashamed to think, in this great business of winding up, when such large sums of money are being disposed of, how exceedingly small a portion can fall to their share. But I say, at least, that this fact is really a reason why we should recollect that at least the people of Ireland are entitled, if not in respect of their religion, in respect of their being the mass of the people of Ireland, to be made as far as possible, the principal recipients of the beneficial application of this fund.

I will now venture to read to the Committee the Preamble



of the Bill, which I hope will be in the hands of Members to-morrow morning; and it is the latter part of the passage which defines the manner in which the application of this money is proposed—

“Whereas it is expedient that the union created by Act of Parliament between the Churches of England and Ireland, as by law established, should be dissolved, and that the Church of Ireland, as so separated, should cease to be established by law, and that after satisfying, so far as possible, upon principles of equality as between the several religious denominations in Ireland, all just and equitable claims, the property of the said Church of Ireland, or the proceeds thereof, should be held and applied to the advantage of the Irish people, but not to the maintenance of any Church or clergy or other ministry, nor for the teaching of religion; and it is further expedient that the said property, or the proceeds thereof, should be appropriated mainly to the relief of unavoidable calamity and suffering, yet so as not to cancel or impair the obligations now attached to property under the Act for the relief of the poor.”

It is the latter part of the passage which defines the application of the money. There is, Sir, in every country, as we are all aware, a region of want and suffering lying between the independent part of the community, on the one hand, and the purely pauperized population on the other. For this region of want and suffering, it is very hard to make adequate provision by a Poor Law, which is almost required to be niggard in its operations, because, if it were made liberal and large, the risk would then be run of doing the greatest possible injury to the independent labourer struggling to maintain himself without aid from any public fund. The wants that I speak of in Ireland are at this moment partly unsupplied; and they are partly supplied, in the rough, through a medium which we think defective, and which might be greatly improved. The medium I speak of is the county cess, a heavy and increasing tax—a tax not divided like the Poor Law between the owner and the occupier, but paid wholly by the occupier, and a tax not limited like the Poor Law to occupations above 4*l.* in value, but going down to the most miserable hut or cabin. The holders of these most wretched tenements are now required in Ireland, and required increasingly from year to year, not to pay that moiety

which is paid by the wealthier portion of the occupants, who contribute to the Poor Law, but to pay exclusively for that class of want and suffering, which ought undoubtedly to be met, and which in every great community ought to be liberally met, but which can only be met by the expenditure of large and considerable funds in comparison with those which avail for the support of members of the pauperized population.

Now, what are these? I take first the lunatic asylums. The care of lunatics is one of the great duties of the community, and in Ireland, though the provision for them has as yet by no means overspread the whole country, the cost on this head is already from 120,000*l.* to 140,000*l.* a year, and it will ultimately rise to 200,000*l.* This expenditure is defrayed by the county cess, collected from the class of occupiers I have described.

The case of the deaf and dumb and of the blind is the next melancholy topic I will refer to. They exhibit to us some of the sorest places of the social system. While they suffer from the most grievous and painful afflictions with which humanity is vexed, they are also of a nature for which no Poor Law can adequately provide. The care of these is a very expensive matter. You will keep a pauper in a workhouse, and keep him decently, in Ireland, for some 7*l.* or 8*l.* a year; but you will not keep a person belonging to these classes—you will not give to the deaf and dumb and the blind the most precious boon you can give them—that is, training and instruction—under, perhaps, 30*l.* or 40*l.* per head per year. It is no common act to train these people, and to convey to them, without the command of the beneficial channels that the Almighty has given us, the blessings of knowledge, and the faculty of applying their bodily powers to their own support. This description of want and suffering is, it appears to us, marked out by every feature that can recommend it for the application of any funds like these. There are those who say these funds should not be secularized. I respect the feelings of those who are against the secularization of such funds; but I say, that if we go back to the ancient history of ecclesiastical property in Europe the

suggested application is not rightly to be condemned and denounced as secularization.

The property of the Church was of old, in general, divisible into four parts. One of these was consecrated to the use of the poor; and, of all the poor, the afflicted classes I have named make the strongest appeal to human compassion. At the same time, when I know the condition of the Irish peasant, when I see that the charge, through the medium of the county cess, is laid mainly upon him, in the first instance, nay wholly upon him by the present machinery of the law, I hail the occasion this measure gives us of at once effecting a great improvement in relieving the Irish occupier, and especially the poor occupier, from an important portion of his burden, and of providing a more ample, a more uniform and a better regulated source of income for the relief of some during the sorest of human wants and afflictions. The general framework of this plan will only be developed when the third of the dates I have mentioned is reached. It will be the duty of the Commission to report to the Queen that provision is made for all the prior purposes contemplated in the Act; and it will be their duty also to report from time to time what is the amount of surplus revenue available for these ulterior purposes, the whole of which are enumerated in the Bill. I will not trouble the Committee now by reading them. I will not say whether or not it may be necessary to resort to further subsidiary legislation; but these sums would be administered, not under any system wholly new; they would be administered upon principles and according to rules which are already in partial and limited operation in Ireland. We shall escape altogether that which is called the religious difficulty; because we only propose to continue to stand upon ground, the firmness and solidity of which we have already ascertained by experience; as we shall make these sums available for their destined application, probably in most cases through the medium, and in all cases under the control—and that we provide in the Bill—of the Poor Law Commissioners for Ireland. I have mentioned lunatics first, because the provision to be made for lunatics is the largest of all. Next to these in order is the

The application of the residue no infringement of the sacredness of Church property.

purpose of making a satisfactory provision for the training and instruction of the deaf and dumb, and of the blind. I beg the Committee to understand that I am not now speaking of institutions in which the deaf, the dumb, and the blind are to be mewed up for life; but simply of schools in which they may receive that kind of instruction which they are capable of receiving for their own benefit; then to go out again into the world, and to play their part, to the extent which Providence may permit, as useful members of society. We believe that a good system in aid of the Poor Law may be provided for that class of persons at an expense of about 30,000*l.* a year; while the ultimate expense of the provision for lunatics would be 185,000*l.* a year. The provision for other forms of mental weakness, besides that I have named—that is, for idiots and others—might cost about 20,000*l.* a year. There is another provision urgently needed in Ireland; it is a supply of properly trained nurses for the use of paupers and for those poor who are above the rank of paupers. In Ireland, I apprehend I am correct in saying, the medical men of the country are known for their skill; but they are scattered over the country much more thinly than in England. The Unions are large; and the public medical officer cannot be in two places at once. I am sorry to be informed upon good authority that the injuries to health, and even to life, which result from the want of skilled nurses, especially for women in labour, are grievous. The Poor Law Guardians, not unnaturally, shrink from incurring the necessary expense; and they make the requisite provision in very few cases; but for a sum of 15,000*l.* a year competent nurses might be provided in all the Unions of Ireland.

Again, Sir, reformatories and industrial schools languish in Ireland; they receive Parliamentary Grants, but, between Parliamentary Grants and private benevolence, they are inadequately supported. We shall propose to the Committee that they also be included as recipients of possibly 10,000*l.* out of these funds. There is another charge; it is the charge for county infirmaries, to which I must call the particular attention of Irish Members. The infirmary system of Ireland is at present principally charged upon the county cess, and is

a burden on even the poorest occupiers of the land. It is also very imperfect in two particulars. In the first place, it often happens that the infirmary of the county, though in the capital of the county, is not central; and, although it is supported by taxes levied from the whole county, it is really a benefit only to a very small portion of it. In the second place, the government of these infirmaries is wholly antiquated and unsuitable, and it urgently needs to be reformed. The sum to be claimed by the county infirmaries and hospitals, may be put down roughly at 51,000*l.* a year.

The general financial result is, that I have pointed to a fund of between 7,000,000*l.* and 8,000,000*l.*, and that the charges which will be most likely to occur under these heads, and which may be assumed from time to time, as we are provided with the means, may amount in all to 311,000*l.* a year. With the provision for all these purposes I think we should be able to combine very great practical reforms; we shall be able to apply strict principles of economy and good administration to all these departments; we shall be able to re-divide Ireland into districts around the county infirmaries, well managed and governed, and so disposed as greatly to increase facility of access to them. Lastly, I have to mention that to which I confess I attach very great value and importance. It should be known that the state of things I have pointed out with regard to the county cess has attracted the attention of Irish Members, and the attention of a Committee of this House; which has recommended that the county cess be put upon the same footing as the poor rate, that the poorer occupiers be relieved, and that the payment be divided between the landlord and the tenant. We certainly shall be in a better condition for inviting the Irish landlord to accede to that change, when we are able to offer, as we shall offer by this plan, a considerable diminution of the burden of the county cess. And I anticipate that we shall be able to propose an alteration of this kind in the present law. This is, in general terms, the mode in which we propose to apply the residue; and I feel quite satisfied that I am justified both in inviting to it the serious attention of the Committee, and in expressing a confident expectation and

belief that the more it is examined the more they will find—passing over objections that may be made to disestablishment and disendowment—it is in itself a good and solid plan, full of public advantage.

I believe I have now gone through the chief among the almost endless arrangements of detail, and I have laid, as well as I am able, the plan of the Government before the Committee. I will not venture to anticipate the judgment of the Committee; but I trust the Committee will be of opinion that it is a plan at any rate loyal to the expectations we have held out on a former occasion, and loyal to the people of England who have believed in our promises. I hope also the Members of the Committee may think that the best pains we could give have been applied in order to develop and mature the measure, and I say thus much with great submission to the judgment of Gentlemen on this and on the other side of the House. For it is a subject of legislation so exceedingly complex and varied that I have no doubt there must be errors, there must be omissions, and there may be many possible improvements; and we shall welcome from every side, quite irrespective of differences of opinion on the great outlines of the measure, suggestions which, when those outlines are decided upon, may tend to secure a more beneficial application of these funds to the welfare of the people of Ireland. I trust, Sir, that although its operation be stringent, and although we have not thought it either politic or allowable to attempt to diminish its stringency by making it incomplete, the spirit towards the Church of Ireland, as a religious communion, in which this measure has been considered and prepared by my Colleagues and myself, has not been a spirit of unkindness. Perhaps at this moment I can hardly expect—it would be too much to expect—to obtain full credit for any declaration of that kind. We are undoubtedly asking an educated, highly respected, and generally a pious and zealous body of clergymen to undergo a great transition; we are asking a powerful and intelligent minority of the laity in Ireland, in connection with the Established Church, to abate a great part of the exceptional privileges they have enjoyed; but I do not feel that in making

this demand upon them we are seeking to inflict an injury. I do not believe they are exclusively or even mainly responsible for the errors of English policy towards Ireland; I am quite certain that in many vital respects they have suffered by it; I believe that the free air they will breathe under a system of equality and justice, giving scope for the development of their great energies, with all the powers of property and intelligence they will bring to bear, will make that Ireland which they love a country for them not less enviable and not less beloved in the future, than it has been in the past.

As respects the Church, I admit that we are asking it to make a great sacrifice. I do not know in what country so great a change, so great a transition has ever been proposed for the ministers of a religious communion, who have enjoyed for many ages the preferred position of an Established Church. I can well understand that to many in the Irish Establishment such a change appears to be nothing less than ruin and destruction. From the height on which they now stand to the apparent abyss into which they think they will have to descend, it seems to be a heavy fall. In this change there is something that recalls the words used in *King Lear*, when Edgar endeavours to persuade Gloster that he has fallen over the cliffs of Dover, and says:—

“Ten masts at each make not the altitude,  
Which thou hast perpendicularly fallen;  
Thy life’s a miracle.”

And yet, but a little while after, the old man is relieved from his delusion, and finds his limbs are whole; he has not fallen at all. So I trust that when, instead of the fictitious and adventitious aid on which we have too long taught the Irish Establishment to lean, it shall come to place its trust in its own resources, in its own great mission, in all that it can draw from the energy of its ministers and its members, and the high hopes and promises of the Gospel that it teaches, it will find that it has entered upon a new era of existence—an era bright with hope and promise, powerful and fruitful for good. At any rate, and be this as it may, the day has certainly come when an end is finally to be put to that union, not

between the Church as a religious association, but between the Establishment, and the State, an union which was commenced under circumstances little auspicious, and which has endured too long to be a source of unhappiness to Ireland, and of discredit and scandal to England.

There is more to say. This measure is in every sense a great measure; great in its principle, great in the multitude of its dry, technical, but yet interesting detail; and great, moreover, as a testing measure; for it will show, for one and all of us, of what metal we are made. Upon us all it brings a great responsibility; most and foremost upon those who occupy this Bench. We especially are chargeable—nay, we are deeply guilty, if we have either dishonestly, as some think, or even prematurely or unwisely, challenged so gigantic an issue. I know well the punishments that justly follow upon rashness in public affairs; that fall, and that ought to fall upon those Phaëtons of politics who, with hands unequal to the task, attempt to guide the chariot of the Sun. But the responsibility, though heaviest for us, is not ours exclusively; it presses upon every man who has to take part in the discussion and decision of this Bill. Every man approaches the discussion under the most solemn obligations to raise the level of his vision, and expand its scope, in proportion with the greatness of the matter with which he has to deal. The working of our constitutional government itself is upon its trial; for I do not believe there ever was a time when the wheels of legislative machinery were set in motion, under the conditions of peace, and order, and constitutional regularity, to deal with a question greater or more profound. And more especially, Sir, is involved the credit and fame of this great Assembly. This Assembly, which has inherited through many ages the accumulated honours of so many brilliant triumphs, of peaceful but courageous legislation, is now called upon to address itself to a task, which would, indeed, have demanded all the best energies of the very best among your fathers and your ancestors. I believe it will prove to be worthy of the task. Should it fail, even the fame of the House of Commons will suffer some disparagement; should it succeed, even that fame, I venture to say, will receive no



small, no insensible addition. I must not ask Gentlemen opposite to concur in this view, even emboldened as I am by the kindness they have shown me in listening with patience to a statement which to them could not have been other than unacceptable; but I pray them yet to bear with me for a single moment, while, for myself and my Colleagues, I say we are sanguine of the issue. We believe, and for my part I am deeply convinced, that when the final consummation shall arrive, when the words are spoken that shall give the force of law to the work embodied in this measure—the work of peace and justice—those words will be echoed from every shore where the sorrow of Ireland or the fame of Great Britain has been known, and the answer to them will come back in the approving verdict of civilized mankind.

I move, Sir, for leave to bring in a Bill to put an end to the Establishment of the Church of Ireland.

THE END.



A CORRECT REPORT

OF THE

SPEECH

OF THE

RIGHT HON. W. E. GLADSTONE,

ON PROPOSING

THE IRISH LAND BILL,

FEBRUARY 15, 1870.

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LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1870.

LONDON : CORNELIUS BUCK, 23, PATERNOSTER ROW, E.C.

# SPEECH OF MR. GLADSTONE

ON THE

## IRISH LAND BILL.

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MR. GLADSTONE, in rising to move for leave to bring in a Bill to amend the Law relating to the Occupation and Ownership of Land in Ireland, said: 'Twelve months, Sir, have not yet fully passed since it was my duty to submit to this House a measure of the greatest consequence and difficulty with reference to the Church of Ireland. At the time when that measure was introduced we were told from many quarters that the Church was not the subject which really involved the welfare and happiness of the Irish people, or which went closest to the root of the Irish difficulty. Nor did we at any time deny the justice of that representation. We were sensible that behind that heavy labour there remained for us a labour probably heavier still; because it must be one where we should not have the advantage of that definite guidance and support which, in relation to the Church question, we thought and found we should derive from the clear, established, and familiar convictions of the majority of the people. But, Sir, if I refer to this subject now, it is in the hope that those who then thus truly spoke will now approach the consideration of the Irish Land Tenures full of the feelings that they then expressed, and will bring home to themselves the vast importance of a subject, which touches the material, the domestic, the daily condition directly, perhaps, of a majority of the population of Ireland, and indirectly of the whole of that population; and which, through the population of Ireland, and through the happy or unhappy results that may flow from our legislation, has a direct and a vital connection with the happiness and the stability of the Empire.

Peculiar difficulties

and importance of the subject.

The difficulties have been aggravated by delay.

Sir, we must not disguise from ourselves that the difficulties of this weighty question have been greatly aggravated by delay. And it can be no wonder, if we reflect on the nature, the constitution, and the duties of the British Parliament, that it should occasionally fall short of the perfect performance of those duties. The operations of the Parliaments elected under the Reform Act of 1832 were in themselves so remarkable, so searching, so comprehensive, and so beneficial, that I think I shall not be deemed to cast any reflection on them, if I sorrowfully admit that neglect is chargeable upon them in respect to the question of Irish Land Tenure. It is, indeed, Sir, but too true, that in connection with the Constitution of the British Empire, and with the world-wide extension of its concerns, which touched on almost everything affecting the human race in all quarters of the globe, shortcomings must from time to time be found. We have undertaken more, I believe, than any other people in the history of the world ever undertook; and it is no wonder if, under these circumstances, a people overcharged have likewise overtaxed the Parliament, and if the consequences of that overtaxing should be sometimes apparent in legislative neglect. Undoubtedly, that is the case in this instance. It was in 1833, I believe, that Mr. Sharman Crawford first called the attention of the House of Commons to the grievous condition of the occupiers of the soil in Ireland; and when, in 1843, he repeated that representation, so struck was Sir Robert Peel and so struck were his Government with the truth and force of the case, that they appointed a Commission—a well and wisely constituted Commission—to inquire into the subject of the occupation of land in Ireland. In the year 1845 the Commission reported; and it not only reported; but it had accumulated a mass of valuable and important evidence, and it also tendered most weighty recommendations. Now, had those recommendations been acted upon at the time, it is probable that at this moment no Irish land question would be before the House for discussion. I do not say that they would have removed every difficulty, but certainly they would have removed so much of the difficulty that the removal of the remainder would have been easily and promptly accomplished.

The Devon Commission.

And, Sir, the person whose duty it was, on the part of the Government of Sir Robert Peel, to recommend to Parliament in the name of his Colleagues an immediate compliance with the recommendations of the Commission was the late Lord Derby, then a distinguished member of a Conservative Government, and since the brilliant Leader of the Conservative party. In the speech of Lord Derby, delivered by him in 1845, as the organ of the Conservative Government, we have the great repertory from which have since been chiefly drawn the arguments of those who have urged upon Parliament the necessity of legislating upon the occupation of land in Ireland. Sir, most unhappy has it been that those recommendations have not been followed. I do not now speak of the amount of blame to be divided as between one party and another, or as between one person and another; probably none of us who have sat in Parliament since that epoch are altogether exempt from responsibility. But what I hope is, that having witnessed the disaster and difficulty which have arisen from this long procrastination, we shall resolve in mind and heart by a manful effort to close and seal up for ever, if it may be, this great question, which so intimately concerns the welfare and happiness of the people of Ireland.

If, however, there be additional difficulty arising from delay, undoubtedly there is consolation also to be found in the present state of facts, for we see, from unquestionable signs, that men are prepared—I think most men, I hope all men—on either side of politics, and particularly within the walls of this House—for a settlement of this question. I believe that upon these Benches—and when I heard the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) on Tuesday night, I formed the cheerful and sanguine hope that on those Benches also—Gentlemen are found to be fully sensible of the urgency of the case, and are fully prepared to approach the subject in a just, practical, and conciliatory spirit. I trust that, upon our part, nothing shall be wanted in the avoidance of angry and invidious topics, and in abstinence from the revival of painful recollections. I trust that, by our studying to lay aside all personal feelings and prepossessions, nothing on our part shall

All parties  
prepared for a  
settlement of  
the question.

occur to intercept the arrival of that happy consummation which I believe we all anxiously desire.

Nor, Sir, can any fail to see, or to derive encouragement and comfort from the thought that, not the people of this country only, but the civilized world, look on our efforts with hearty and animating interest. In proof of this, I need but refer to one illustrious instance. The Emperor of the French, himself engaged in a great and arduous task, has noticed, in a solemn manner and in the kindest phrase, the efforts which he sees this nation and this Parliament is engaged in making to heal the wounds of Ireland. And I am confident, Sir, that I do no more than give faithful utterance to the minds of those who hear me, when I presume to say that the Parliament and the people of this country cordially reciprocate these sentiments of sympathy, and feel warmly with him in his attempt and evident desire to extend constitutional liberties to the people of France. We wish him in his efforts that progress and success which he has so becomingly desired on our behalf.

And further, Sir, I should not do justice to the case if I did not say that over and above those general sentiments of encouragement, assistance—assistance valuable in a greater degree than I can remember in any other instance of the kind—has been given to us by what I may call the recent literature of this great question. I cannot remember a case in which so many gentlemen, governed by the simple motives of patriotism and philanthropy, have devoted their time, thought, and attainments, not to recommend the narrow views of a section, or a party, but to elucidate and clear up the real difficulties of the case. Members of the Bar, to whose name the title of “learned” is not a mere formal appendage; men versed in historic knowledge; men foremost in professional skill and in the knowledge of the principles of agriculture; Members of this House too, I am glad to say, some who were with us in times past, and some who are here to aid us now—Gentlemen whose names it might be invidious to enumerate lest I should by chance be guilty of any omission;—have rendered us by the results of their inquiries the most valuable assistance. And I think I may say that no part of the studies



which they have made known to the public has escaped our careful scrutiny and consideration.

However, Sir, when I spoke on the question of the Irish Church, I had this great advantage—that the whole matter had been so thoroughly sifted by the nation on the one side and the other, as regarded the general consideration of the policy of the measure to be applied for its solution, that it was quite unnecessary for me to detain the House by preliminaries. I am not now in quite the same position. It is now necessary, Sir, at the very outset, to refer to some of those misapprehensions—for so I must call them—which prevail on this side of the water as to the condition of Ireland; for gladly as the people of Ireland must have seen that this Parliament does not grudge one year or more years than one spent in the endeavour to remedy their grievances and relieve their misfortunes, yet undoubtedly there do remain prepossessions adverse to the character of the Irish people, which it is most desirable we should endeavour to remove from the mind of England and the mind of Scotland, in order that the nation at large may come to a full and unprejudiced consideration of the question. I mean prepossessions, some of which I am almost ashamed to mention to this House, but yet such as have not yet lost their root and hold in this country.

Preliminary necessity to clear away prevalent mis-conceptions as to the character of the Celtic race and the condition of the Irish tenant.

Some persons have the idea that the Irish, as being a Celtic race, are, by some perverse ordinance of nature, prone to violence and disorder. Some persons, again, are of opinion that the legal relations of landlord and tenant in Ireland are the same as those in England, and therefore they do not understand why the former do not work in as easy and satisfactory a manner as the latter. Some persons imagine that the Irish, having been in a state, as is supposed, of constant and progressive improvement for the last twenty years, can have—I will not say no justification, but—no occasion for still exhibiting feelings of discontent or uneasiness. Some think we have been legislating for Ireland for a whole century, that we have done everything the wit of man could devise to ameliorate the condition of the Irish people; and that on this account it is strange indeed, and not owing to our default, but to something inherent in the Irish them-

selves, that national content has not been established in that country.

Let me take first the opinion that the reason is to be found in the fact that the people of Ireland are a Celtic race. True, the Irish are, upon the whole, a Celtic race; but I would remind the House that in 1846 Lord Russell broadly laid it down in this House, and laid it down with truth, that eviction and the various evils connected with it were in Ireland the leading cause of agrarian crime. Now, Sir, we have some means of testing this question with respect to the Celtic race. Where is it in Ireland that the ratio of agrarian crime to the number of evictions is the highest, and where is it the least? While in Connaught the Celtic race preponderates, in Ulster, as we know, there is the largest infusion of non-Celtic blood. But in Ulster the ratio of agrarian crime to evictions is far higher than in Connaught; indeed, in no part of Ireland is the ratio so low as in those counties where the Celtic blood is almost unmixed. Again, taking the history of the more recent times, you will find that those counties where the disturbance of order has been greatest are not those which have a peculiarly Celtic character: every one of these is excluded from the list.—The fact is that the infusion both of English and of Scottish blood has poured into the elements whereof the Irish character is composed a spirit of pride and of ready self-defence—that sentiment which has made England and Scotland ever prompt to rise in defence of what the people deliberately believe to be their rights. It is not then the Celtic element in the character of Ireland that has given rise to all the disturbances of recent years; but it is a race even more energetic and massive in character, and determined not to be trodden down, which, having mixed with the Celtic race, has been the foremost to manifest its displeasure and resentment whenever it has been made subject to the suffering which is invariably at the root of agrarian crime. It would be easy to supply proof of my assertions in detail, but time presses, and I must dispense with it for the present.

Agrarian  
crime prevails  
most where  
Celtic blood  
predominates  
least; and  
*vice versa*.

Is the system  
of land tenure  
the same in

Again, Sir, it is said that the system of land tenure is the same in Ireland as it is in England, and that if it does not

produce the same effects in both countries that must be owing to the fault of the Irish people. It is true that the naked abstract law of the occupation of land in Ireland, as founded upon contract and not upon tenure, may be the same as in England. In both countries the occupation of the land, as a rule, is founded upon the relation of two persons, one of whom has something that is given him by a written or an unwritten agreement, and the other has all the rest. It may be quite true that that is the law of both countries ; but it is only the mere skeletons of the laws of the two countries that bear any resemblance to each other. The flesh and the blood with which the figures are invested are wholly different ; all the circumstances, all the associations, and all the accretions that have grown around the naked ideas are different in the one country from what they are in the other. We cannot name a point in which the relation of landlord and tenant in Ireland and in Great Britain are the same, except only in what may be called the abstract and general idea. Down to a late period Ireland has been full of the recollections and the marks of conquest, while in England nothing of the kind has existed for long ages past. In Ireland the landlord has commonly differed from the tenant in politics and in religion, whereas in England the landlord and the tenant have commonly been of the same mind in both religion and politics. In Ireland the landlord does not, as a rule, find the capital necessary for the improvement of the soil, although he does so in exceptional and, perhaps, multiplying instances ; in England the landlord is the person who does find that capital. In Ireland the landlord is frequently an absentee, and unhappily this has been so during the whole of the 700 years of the connection between the two countries ; in England and Scotland complete absenteeism is comparatively rare. In Ireland a great jealousy has prevailed among a large body of the landlords during the last forty years against granting tenures longer than from year to year ; whereas in Scotland, on the contrary, the almost universal practice has been to grant much longer terms, and in England there is hardly a quarter to be found where such jealousy on the part of the landlords is to be found. In Ireland, except where tenant-right exists, the law

Ireland and in  
England ?

has refused to recognize in any and in every shape the right of the tenant in anything which he has put into the soil; whereas in England there is not, perhaps, a single county where, in one form or another, customs that mitigate the law do not prevail, and greatly abate the force of that law. In Ireland, from the unhappy circumstances of the country—and I have no doubt, as regards the present race of landlords, it is not from their want of will—there has not rested in the hands of the landlords the discharge of that immense mass of public duties, bearing upon every subject of political, social, and moral interest, without fee or reward, which has honourably distinguished for so many generations the landlords of England. This fixed and happy usage I take to be a just relic and a true descendant of the feudal system, a system which never took a real or genuine root in Ireland. And lastly, Sir, whereas in England and in Scotland the idea of holding land by contract is perfectly traditional and familiar to the mind of every man, in Ireland, on the contrary, where the old Irish ideas and customs were never supplanted except by the rude hand of violence and by laws written in the Statute Book, but never entering into the heart of the Irish people, the people have not generally embraced the idea of the occupation of land by contract; and the old Irish notion that some interest in the soil adheres to the tenant, even although his contract has expired, is everywhere rooted in the popular mind. If time permitted, it would be easy to give proof of one and all these assertions by a multitude of testimonies from persons who well know the condition of Ireland. Therefore do not let us suppose or imagine for a moment that resemblance between the Irish and the English law is a reason why there should not be good cause for special legislation on the subject of the occupation of land in Ireland.

True causes  
of the recent  
tendency to  
an increase in  
agrarian  
crime in Ire-  
land.

There is, however, another false impression which it is necessary should be dissipated, and that is, that there is something extraordinary and strange in the present sensitiveness of Ireland, and in the recent tendency to an increase of agrarian crime. This idea has been founded upon the supposition that the condition of Ireland, the condition of its

occupiers and the condition of its labourers, has for a score of years been one of continuous and steady improvement. In 1860, my right hon. Friend, now Secretary of State for War (Mr. Cardwell), described in a remarkable passage the various forms and features of improvement that then marked the state of Ireland, and of its occupiers and labourers. He is not a man given to exaggeration, and I believe that every word which he spoke was at the time entirely true. But the ten years which have since elapsed tell a different tale; and I will briefly state to the House some of the circumstances to which that difference is to be attributed. Between 1849 and 1860 there was a great and general increase in the rate of wages throughout Ireland, amounting in some places to 30 per cent, in others to 50 per cent, and in parts to even 100 per cent. Since 1860 that rate of wages has not generally advanced. [An hon. Member here made an observation which did not reach the Gallery.] Does the hon. Member mean to say that the rate of wages had, in 1860, reached a point beyond which it was not necessary that it should advance? I have a word more to say on that subject of further advance, even if no other circumstance affected the case. But I own that if it had been my lot to earn only 6*d.* a day, and if in consequence of an improved state of things I was enabled to make 1*s.*, and I were then to find that the course of improvement was arrested, that the rate was stationary instead of progressive, nay, even that in some districts there was a tendency to go backward instead of forward, I am not sure that my temper would be one of exuberant gratitude. But, Sir, other causes have been in progress affecting unfavourably the Irish labourer. Undoubtedly evictions have been fewer during the later period; but I should be sorry to be driven to an examination of the character which in many cases they have borne. I will merely state that some of the most painful, some of the most indefensible, nay, some of the most guilty of evictions have occurred between the two dates to which I have referred. I think that of the crimes which we have been so recently lamenting no small portion is to be traced to an interference with the fixed usages of the country, and with what the people believed to be their rights,

—interferences which were in some cases imprudent, and which in others beyond a doubt deserved a much stronger epithet. Another process has also been going forward with great rapidity in Ireland, which has acted very unfavourably upon the prosperity of the labouring classes—I mean the transference, and the rather rapid transference—of land from tillage to pasturage. Between 1860 and 1868 the pasturage of Ireland has increased by about 560,000 acres, and the tillage of Ireland has decreased during that period about 400,000 acres. We are given to understand that, inasmuch as meadow land is reckoned under land in tillage, and has considerably increased, the real decrease of tillage land is greater still. But to bring the matter to a closer test, let us look at the number of those who came under the operation of the Poor Law. Down to 1860 there was a most remarkable decrease in the pressure upon the poor rates, and in that year the number of persons seeking relief, who in 1849 might have been counted, so to speak, by millions, was 170,000; but in 1868 that number had increased to 289,000. There is another circumstance of wider operation that has also greatly affected the condition of the Irish labourer, and it is this: while, since 1860, upon the whole, wages, I will not say have gone back—for I wish to keep strictly within bounds—but have exhibited on the whole a stationary character, the cost of subsistence has very considerably increased. I am almost afraid to tell the House in what degree. But let us reflect for a moment. What has free trade done for us? As regards articles of food it has lowered the price of wheat, which has been a great boon to the people of England. But that is not the case in Ireland, where wheat is consumed only to a very limited extent. On the other hand, free trade has raised the price of oats and other agricultural products. By a most legitimate process the price of almost everything, except the great article of wheat, has risen. That is a great boon to the Irish farmer, but to the labourer, or the man who is a buyer rather than a grower of produce, such a change represents a condition, not of increase, but of stinted and narrowed circumstances. There are other circumstances—such as the gathering of Irish labourers into towns, the loss of the gardens upon which

they depended for their comfort and for auxiliary means of subsistence, and the compulsion often imposed upon them of travelling considerable distances to their work—which have also had a very unfavourable effect. But, upon the whole, I am quite sure I have said enough for the present purpose, enough to show that we should be in gross error if we supposed that we had a right to form a sanguine expectation of that temper of general ease and contentment in Ireland which belongs to a progressive state of prosperity, if we take fairly in view what has been the course of affairs in that country between the years 1859-60 and 1860-9.

But then, it is also said, and not unreasonably, nay, with perfect truth so far as the literal sense of the proposition is concerned—"You have legislated in favour of Ireland for a century, and yet the people of that country are not, after all, content." Now, Sir, this is a most interesting and most curious chapter of the subject, and I wish to know what it is that we have been doing during that century. If we were believers in astrology, or if we held the opinions of the fatalists, we might, after examining the bearing of much of our remedial legislation upon Ireland, almost be led to believe that some dark and baleful star brooded over that country, which, as far as the Irish peasantry have been concerned, forbade and intercepted the effects of the most beneficent legislation. I do not speak without book. Let us consider how this has been in two or three leading cases. In 1793, Parliament passed an Act, the object of which was to enfranchise the Roman Catholics for the purpose of Parliamentary elections. The effect—probably the unforeseen effect—of that Act was that the landlords of Ireland, with a view, and no very unnatural view, to the extension of their political influence, immediately, in a vast number of cases, became the prime promoters of that excessive sub-division of land, with the view to the creation of 40s. freeholds, which ushered in the horrors of the famine of 1847 and 1848. But the Act of 1829 put an end to that inducement by disfranchising the 40s. freeholder. Well, the former Act of 1793 had at least exercised this beneficent effect, that it tended to encourage landlords to give to their tenants something in the nature of relative permanence or

*Legislation which had for its object the benefit of the Irish people has, in most cases hitherto, contained some hidden element that intercepted its beneficial effect.*

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stability of tenure, through those leases for lives that were necessary to constitute the condition of the Parliamentary freehold which was to confer the vote. After 1829 that inducement was withdrawn; and, as the Act of 1793 had introduced, or vastly extended, the mischief of the extreme sub-division of land, so the Act of 1829 partly introduced, and, beyond all doubt, if it did not introduce vastly extended, the mischief, and perhaps, under the circumstances of Ireland, the still greater mischief, of mere yearly tenancy. Then came the Act which was passed, I think, in 1849 or 1850, called the Encumbered Estates Act, which has since passed into the Act for dealing with the sale of landed estates. Well, Sir, what was done by that Act? It had a most benevolent object; it was intended to introduce capital into Ireland, to relieve impoverished proprietors of that country from that which was to them not a privilege, but a burden—the possession of land which they could not rightly use or manage—and to transfer it into the hands of a more vigorous and opulent race of proprietors, with a view to the development of the riches of the soil. In that Act also, however, there was contained one fatal oversight, so grievous in its operation that it is doubtful at this moment whether Ireland, on the whole, is better or worse for that Act. In 1845 the Commission of Lord Devon and the Government of Sir Robert Peel had recognized the right of the tenant to be invested with a title to improvements. Although the older landlords of Ireland sometimes, no doubt, may have improperly increased the rent, and compelled the tenant to pay an increased amount in respect to the value which he had himself added to the soil, yet in many cases they made no such extortion. The improvements were not theirs in a moral or equitable point of view, and they did not exact a price for them. But when these properties came into the Encumbered Estates Court they sold the estates precisely as they were. The purchasers bought them as they were, and no distinction was drawn between the soil itself and the improvements made by the tenant. So that the improvements were sold, to persons who gave a price for them: sold away from the tenant to whom they ought to have belonged; and the price was paid to the outgoing landlord, who, undoubtedly, ought

not to have been entitled to claim the property in them, and would not have been so entitled if the legislation recommended in 1845 had been adopted. Every one of these measures, all of them beneficently intended, and for other purposes operating beneficently — the Act of 1793, the Act of 1829, and the Encumbered Estates Act—was attended with consequences most fatal to the best interests of the great mass of the occupiers of Ireland. And it is not too much to say, with regard to the Encumbered Estates Act, that the operations which have been effected under that Act, and the use that has been made, and not unnaturally made, of it by some of those who have come in as new proprietors, may be reckoned as specific causes of those disturbances which have recently disfigured the records of our intelligence from that country. Thus it seems that in our very remedies we have failed. We passed the Poor Law Bill for Ireland; and it was a great act of Christian charity and humanity when we consider it as applying to that portion of the community who have fallen into a state of incapacity to maintain themselves by their own labour. But if we have a peasantry endowed with vigorous arms, possessed of both the ability and will to earn their own subsistence, and if we encourage a system under which that peasantry is expected to labour with only a precarious title to occupation, and ever liable to be evicted without fault or neglect of any kind, and if we then think it enough to say, “Although you are evicted, still the doors of the poor-house are open to receive you,” my answer is, that this is not an operation by which you can bring about the existence of national content.

Then there is another remedy, emigration, which land-  
 lords have in many instances been sedulous to promote. Emigration, Sir, when it is voluntary and free, is the process which the Almighty has ordained for covering and cultivating the waste places of the earth. But that is when the emigrant is one whose wish it is to go. When, on the other hand, he is one whose wish it is to stay, who is truly, strongly, passionately attached—and no people ever were more passionately attached to the soil on which they were born and on which they have grown than the Irish—then to say, “We cannot insure to

you the possession of your holding—we cannot even give you a reasonable probability that you will be able to exercise your industry with confidence; but there is the way across the Atlantic, and there are the wide plains of America open to receive you”—do not let us conceal from ourselves that, under such circumstances, emigration is another word for banishment, and that the country whose laws inflict that punishment and cause that banishment cannot expect, and does not deserve, the affection of the people.

I would desire, Sir, in the discussion of this subject, to avoid anything like paradox; and yet I cannot help asking the simple question of the House which I have asked myself, and with regard to which I confess I doubt as to the reply to be given. It is true that now for ninety-eight years—I may say for a century—we have been legislating in favour of Ireland. During that time we have destroyed the odious fabric of the Penal Laws. We have conferred, one by one, every political privilege upon our Roman Catholic fellow-countrymen. They now enjoy in that respect the perfect and absolute equality which is their undoubted right. And lastly, we have, and at no small sacrifice of feeling to large portions of the community, extended, I rejoice to say, the principle of equality to the religious condition and circumstances of Ireland. Yet, notwithstanding all these things, I doubt whether at this moment, so far as the law is concerned, the condition of the Irish peasant is materially better, or even better at all, than it was before the mitigation of the Penal Laws. Certainly this is a most startling proposition; but ask yourselves what have you done for the Irish occupier, and what have you done against him? One thing undoubtedly you have done for the people of Ireland, and it is an enormous boon to the mass. You have educated them. But when you educate a people and give them an emancipated mind, with a free Press, and do not at the same time remove other causes of complaint and grievance, I ask you whether, so far from giving a motive for content, you do not take the very course that is sure to end in the augmentation of every difficulty with which you have to contend? Certainly, you have compounded or commuted the tithes, and abolished the Church cess. You have

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built the workhouses in which the impotent, the able-bodied, and the helpless may be received. But I greatly doubt whether, on the other hand, the effect of other laws has not greatly overbalanced the benefits which these measures have conferred. I refer in part to the effect of the Encumbered Estates Act, which, although nothing could be further from the intention of Parliament, did operate as a confiscation, in a vast number of cases, of the improvements executed by the tenant. But you have done another thing of the greatest importance, and which has not been sufficiently kept in the view of the British Parliament. You have altered the whole law with respect to the defence which protected the Irish occupier in his holding. You have brought into play new statutes of eviction. And what do those statutes of eviction say? A gentleman whose name is very well known in Ireland as a professor of somewhat strong opinions, Father Lavelle, has quoted, in a volume he has written, a statement of great legal authority from a pamphlet published by Mr. O'Connell in 1843. The statement fully details changes in the law which had completely altered the position of the Irish occupier in the interest of the landlord. I will refer to only one of those Acts of Parliament—that of 1816, which was passed at a period when the high prices of the war began to be felt and the high rents could no longer be paid. Parliament was appealed to, under these circumstances, to grant facilities for eviction which had not previously existed. Do not let us suppose, therefore, that this is a case in which Parliament is called upon for the first time to interfere with the tenure of land in Ireland. The history of Parliament tells us of a series of interferences in this respect. In many instances these interferences have been unhappy to the occupier, and in some they have been something more than unhappy; I cannot but fear that they have partaken of injustice. The Act of 1816, 56 *Geo. III.* c. 18, recites in its Preamble that such were the expences and delays of ejection that it was absolutely and entirely impracticable as a remedy. But, if it were entirely, or in a great degree, impracticable as a remedy, look at the effect of the change. See what a defence that state of the law was to the Irish occupier in the possession of his holding.

All that defence we have altered. All that shelter we have stripped away. We have simplified the law against him. We have made ejectments cheap and easy, and notices to quit have descended on the people like snow flakes. All these things have been done by Parliament, and no compensation has been made to the Irish tenant. And I do not hesitate to say that while, with regard to the higher classes of the Roman Catholics, Parliament has proceeded in one unbroken course of beneficent legislation, by no means the same thing can be said with regard to the tillers and occupiers of the soil. As it is said in the solemn words of Scripture, the things which should have been for their wealth became unto them an occasion of falling; so, much that was intended for the benefit of Ireland has acted unhappily on the Irish people, and Parliament has sometimes, without sufficient cause, acted against the tiller of the soil. I will not inflict upon the House the numerous references that could be made in support of this allegation. Were I to do so the task before me would extend beyond all bounds. I will therefore pass on.

the Bill assumes the necessity of interfering with the tenure in Ireland.

The Motion I am about to make assumes that it is desirable we should interfere for the purpose of "amending the law relating to occupation and ownership of land in Ireland." At this first stage I do not suppose much scruple will be felt, because up to a certain point the law, in the nature of the case, must always interfere. It must interfere—namely, with reference to the cases in which parties make no contract for themselves; and the law now is that where there is no special contract tenure shall be understood to be from year to year. We do not propose to reverse this assumption. But we propose, looking at the condition of Ireland, not to leave it to parties without the interposition of law to make the contracts which they may be willing to make; and this it is which at first sight may appear to be harsh. No persons value more highly than we the freedom of contracts; it lies at the root of every healthy condition of society. But even in those conditions of society which we recognize as healthy it is not possible to allow perfect freedom of contract. English legislation is full of such interference; and Parlia-

interference is always

ment has shown a very decided tendency of late to multiply them. You will not allow the man who has a factory to contract with the persons whom he employs on terms which may suit their inclinations, but which you have forbidden; and you will not allow the shipmaster to carry the emigrant across the seas on terms on which he desires to carry, and the emigrant desires to go. These are cases that justify interference; but much stronger is the case for Ireland, because in substance these contracts, though nominally free, have not been really free under the peculiar conditions of life which that country offers. Even where the law has left the Irishman free his circumstances have deprived him of freedom, and it has thus become our duty and our necessity to interpose, within limits cautiously and strictly guarded, for the purpose of repressing that evil. In an agricultural country; in a country where the population has been such as to cause a demand for land always in excess of the supply, and where the excess of this demand has recently been met and aggravated by the tendency to carry land in large quantities out of tillage into pasture, and thereby to diminish agricultural holdings and employment; and again by a desire to consolidate farms, and thereby once more to narrow the means of supplying the demand for land; lastly, in a country which is almost exclusively agricultural, and does not offer to the adult Irishman that choice of professions and occupations which he can easily find in a land where mining and manufacturing industry prevails, there history has but too well supported the proposition that the freedom of contract which the Irish peasant possesses is but a nominal freedom. It may be necessary, therefore, to prescribe by law in certain respects the terms and conditions on which land shall be held in Ireland.

Strict freedom of contract, then, having proved to be a great evil, what is the precise nature of that evil? The Devon Commission has pointed it out. It is insecurity of tenure. It is that insecurity of tenure which not only abridges the comforts of the cultivator of the soil, but which limits and paralyzes his industry, and, at the same time, vitiates his relations in a vast number of cases with the landlord,

claimed, and sometimes exercised, the right to interfere with private contracts.

and in a still greater number with the law under which and the society in which he lives. Sir, the sun of hope has recently dawned upon Ireland! It is not impossible that the Irish people, when they witnessed the devotion of the Session of 1869 to Irish affairs, and when they knew that in 1870 Parliament was to apply itself with a similar heart-stirring zeal to the adjustment of the Land Question—it is not impossible that they should think the day of hope had, at length, returned with regard to this great question of the tenure of land; and, after so long a period of depression and despondency, I cannot, for one moment, be surprised that, in some cases where this hope has been revived, it has in the minds of some been such as to exhibit elements of a riotous exuberance. But, on the whole, I do not think there is much to complain of in this respect.

“Fixity” of  
tenure

There is, however, a proposition which has been made, and which, in my opinion, deserves to be treated with serious attention. As I have said, insecurity of tenure is the great mischief we have to face; and I will now consider the forms in which proposals for a remedy are made. Sometimes we hear the remedy described by perpetuity, sometimes by fixity, sometimes by security, sometimes by certainty, and sometimes by stability of tenure. All these five words express in different forms the different shapes which it is desired the remedy should assume. As among these, I shall regard the word “fixity” as meaning perpetuity, or approaching to perpetuity, and I shall consider stability, certainty, and security as mutually corresponding, expressing a somewhat different idea. They express the idea of a tenure which would enable a man to pursue his industry without fear of loss from any change that may happen to him on the part of the landlord; they do not express the transference to him of the essential right of property in the soil. Now, the evil is so great that I, for one, am prepared to say that I can hardly conceive of any alternative which would not be better than the continuance of the present state of things; and I do not think that anything dishonourable, anything that intends an injury to another, has been projected by those who have set up perpetuity of tenure for the Irish occupier as their favourite scheme, be-

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cause we have not a doubt that they have seen that inasmuch as perpetuity of tenure on the part of the occupier is virtually expropriation of the landlord, and a mere readjustment of rent according to the price of produce can by no means dispose of all contingencies the future may produce in his favour, compensation would have to be paid to the landlord for the rights of which he would be deprived. I have no doubt that they have taken this circumstance into their view; but, at the same time, while this proposition is to be indisputable, I hold that the plan is attended with the greatest practical difficulty, even were it on this ground alone. Because the question will be, by whom is that compensation to be paid? It must either be paid by our old familiar friend, the Consolidated Fund—to which it appears to me that the people of England and Scotland would certainly have a word to say—or else it must be paid by an immediate increase of the rents now payable in Ireland, in order to compensate, by a positive augmentation at the moment, the landlords of Ireland for the loss of their chances in the future. Now, I do not know how a measure is to be framed either upon the one basis or on the other.

Financial objection to Fixity of tenure;

But suppose for a moment that we put the financial difficulty out of view, what would be the effect of perpetuity of tenure upon the tenant? As I understand it, the scheme itself amounts to this—that each and every occupier, as long as he pays the rent that he is now paying, or else some rent to be fixed by a public tribunal charged with the duty of valuation, is to be secured, for himself and his heirs, in the occupation of the land that he holds, without limit of time. He will be subject only to this condition—somewhat in the nature of the Commutation of Tithe Act—that with a variation in the value of produce, the rent may vary, but it will be slightly, and at somewhat distant periods. The effect of that provision will be that the landlord will become a pensioner and rentcharger upon what is now his own estate. The Legislature has, no doubt, the perfect right to reduce him to that condition, giving him proper compensation for any loss he may sustain in money; the State has a perfect right to deal with his social status, and to reduce him to that condition, if it

which would, moreover, be injurious to Ireland ;

(1) by making landlords indifferent to the welfare of their tenantry;

thinks fit. But then it is bound not so to think fit unless it is shown that this is for the public good. Now, is it for the public good that the landlords of Ireland, in a body, should be reduced by an Act of Parliament to the condition practically of fundholders, entitled to apply on a certain day from year to year for a certain sum of money but entitled to nothing more? Are you prepared to denude them of their interest in the land, and what is more, are you prepared to absolve them from their duties with regard to the land? I, for one, confess that I am not; nor is that the sentiment of my Colleagues. We think, on the contrary, that we ought to look forward with hope and expectation to bringing about a state of things in which the landlords of Ireland may assume, or may more generally assume, the position which is happily held, as a class, by landlords in this country—a position marked by residence, by personal familiarity and by sympathy with the people among whom they live, by long traditional connection handed on from generation to generation, and marked by a constant discharge of duty in every form that can be suggested—be it as to the administration of justice, be it as to the defence of the country, be it as to the supply of social, or spiritual, or moral, or educational wants—be it for any purpose whatever that is recognized as good and beneficial in a civilized society. Although, as I have said, nothing would induce me voluntarily to acquiesce in the continuance of such a state of things as has prevailed, and still, to a great extent, prevails in Ireland—it would, I own, be a most melancholy conclusion were we to find that we could not rectify that which is now wrong in the land tenures of that country without undertaking a social revolution, a social revolution in which the main characteristics would be the absolution of wealth and property from the performance of duty, and an addition to that lounging class—unfortunately too abundant in this country—who are possessed of money and of nothing else, and who seem to have no object in life but to teach us how to multiply our wants and to raise the standard of our luxuries, even when we have not yet solved the problem, or got to the heart of the secret how we are to relieve the destitution which is pining at our doors.

Again, perpetuity of tenure must, I think, be further considered from this point of view. If the land is to be bought, it should be bought by and for the State, and that which is so purchased should be distributed among, or applied for the benefit of, the whole nation. But the occupiers of land in Ireland, though they of themselves constitute something near a moiety of the people of the country, yet are not the whole people. And it would, I think, be difficult to show why, in favour of these particular persons being occupiers, the whole essence of proprietary right should be carried over from the class that now possesses it to that which, though infinitely larger, is still a class, is not the whole people of the country. But consider again how this plan is to work. Let me suppose myself an Irish occupier, invested by an Act of Parliament with perpetuity of tenure. If I want to let the property which I have thus acquired, am I to be allowed to let it to a tenant—a mere tenant—or am I not to be allowed to let it to anybody but a perpetuity-man like myself? If I am only to let it to a perpetuity-man, I can only let it to that class of men who are prepared both to cultivate the soil and to pay me the price of the permanent estate. The strange position in which we should then find ourselves would be that all that active and energetic class which does not require any permanent estate in the land, but exists by the intelligent and profitable application of capital to farming purposes, would be absolutely proscribed; you would not anywhere let a man in to put a spade or plough into the ground unless he was able to purchase the perpetual estate. But, on the other hand, if I am told—"You, a perpetuity-man, will be allowed to deal with the land as you choose—to let it from year to year, to create yearly or any other form of tenancies which you think proper"—then I say the Act of Parliament would contain within it the seeds of its own destruction; nay, not the germs only, but the body and substance of provisions which would soon generate the very mischiefs which you proposed to extinguish. We should still have landlords and tenants with relations as ill regulated as ever. At first they would be small landlords, but not long. The wealth of this country would go forth once more into the market and accumulate

(2) by proscribing the whole class of tenants who wish to pay a fair rent for the use of the soil; (3) by perpetuating the present evil in the creation of a new class of tenants without fixity of tenure.

great estates, so that—not we, perhaps, but, at any rate, our children, should again have to assemble within these walls, and to deal afresh with the difficulties of the Irish Land Question.

Besides, every argument which would prove perpetuity of tenure good for Ireland would prove it good also for England and Scotland; and thus the Irish Land Question would become an United Kingdom Land Question.

There is another point which, I think, deserves serious attention. I cannot help pointing out that if perpetuity of tenure were really good for Ireland, it could not be very bad either for England or Scotland. There are, indeed, peculiar features in the condition of Ireland, that, in our judgment, justify and demand peculiar legislation; but I am aware of none of those features that could by any man be held to extend to recommending perpetuity of tenure in Ireland which would not also be applicable to England or to Scotland. If perpetuity of right is to be transferred from one class to another, that would not be a bit more or less expedient on this side of the water than on the other; and accordingly in that view of the matter this with which we have now to deal is not an Irish Land Question, but an United Kingdom Land Question.

Moreover, perpetuity of tenure, apart from absolute ownership, is not found to answer where it now exists.

Lastly, I must put yet one other point. These tenures which partake of the character of perpetuity, or approximate to it, already to some extent exist in Ireland. I do not say that it would be a sufficient argument in favour of the plan—I rather think it would not—if you had proof that this perpetuity of tenure was good for the people themselves who had been the recipients of that mode of treatment; but this I must say, having endeavoured to examine, as well as we can, the evidence with regard to the agricultural condition of those portions of Ireland which are at present held upon tenures of perpetuity without proprietorship, or which approximate to those tenures, that we do not feel the result to be such as to assure us that this class of tenure would in Ireland attain the object which we greatly prize—namely, the object of enlarging the wealth of the soil and of developing a powerful and flourishing agriculture. Having urged these arguments, to which I am aware of no reply, I may, for the present at any rate, quit this part of my subject. I therefore cast aside perpetuity of tenure, as being a mode and form of remedy that we are not prepared to entertain or propose.

Again I say, the evil with which we have to contend is insecurity of tenure. How does this insecurity manifest itself? Chiefly, as far as my knowledge goes, in these four forms :—Sometimes it is in the shape of the withdrawal by the landlord of privileges customarily enjoyed by the tenant. There have been painful cases of this kind at no very distant date. Unfortunately, in the annals of Ireland it is indisputably recorded that it was from the withdrawal of privileges of this kind—the privilege, especially, of pasturage—that Whiteboyism first took its origin. And Whiteboyism and the various forms of agrarian outrage and crime by which it has been followed go far to justify an expression used, I think, by Mr. Butt and by some others, that when prescription is talked of in connection with the present state of the land laws in Ireland, it must be remembered that the people of Ireland to the best of their power have made war upon these land laws.

The real evil is insecurity of tenure.

The first form of suffering entailed upon the people by insecurity of tenure was the withdrawal of customary privileges ; the second was by the lavish and pitiless use of notices to quit. These notices to quit, though in many instances they are not followed by the acute miseries of eviction, yet do produce the chronic suffering and the other chronic social mischiefs attendant upon absolute uncertainty of condition. The third form of evil has been direct eviction ; and the fourth has appeared, when demands for increased rent have been made upon the tenant founded solely upon the value which he, by his labour and his capital, has added to the soil. That power of demanding an increased rent is entirely dependent on the *ultima ratio* of eviction ; and, treading sometimes but too closely upon the heels of that power, there has been the *ultima ratio* itself ; which, as I have shown, within the last half century has been made far more formidable by the direct action of Parliament than ever it had been before.

Different ways in which this insecurity acts.

Well, now, let us look closely at the case of Ireland, and see whether, in good faith, without injury to any class, we can provide a remedy for these evils. There is one spot, at least, in Ireland which is instructive on this portion of the subject, and that is the Province of Ulster. I am far from saying

The Custom of Ulster proves the possibility of giving security of tenure to the tenant without vio-

lating the  
rights of pro-  
perty.

that it would be desirable or possible to reproduce all over Ireland the exact state of things which prevails there as regards the occupation of land ; but the state of the Province of Ulster I hold to be perfectly and demonstrably available for the present argument up to this point—that you can apply a remedy to this profound and fatal evil of insecurity of tenure, and yet that such a remedy can be found and applied without shaking the foundation of property. Sir, that proposition—that such a remedy can be discovered and applied without shaking the foundation of property—is so important that I must ask the House to consider for a few moments what is the condition of Ulster. In general, security of tenure there prevails. Is property shaken ? Now it is curious to compare the movement of rents in Ireland in relation to the movement of rents in England and Scotland ; and also to compare the movement of rents in Ulster with that of Ireland in general. This can be done with sufficient approach to precision for practical purposes.

The history of  
the Three  
Kingdoms  
proves that  
rents rise in  
proportion to  
the tenant's  
security of  
tenure.

In 1779 Arthur Young estimated the rents of Ireland at £6,000,000 sterling ; in 1869, ninety years after, the rents of Ireland were returned, in round numbers, at £12,000,000. They may amount to a little more—I dare say the figures I have cited are under rather than over the mark ; but we may take it as at least near the truth that in Ireland, as a whole, where the tenure of the cultivator has been generally insecure, ninety years have just doubled the rent received by the landlords. Now, in England we have not laboured under this evil of the insecurity of tenure, because confidence has supplied that which was wanting in the mere letter of the law. But in England in 1771—not very far from the period taken by Arthur Young for Ireland—the rents were £16,000,000 ; in 1869 they were £48,000,000—so that in very nearly the same period in England, where the tenure of the cultivator is more secure, the rents have trebled ; while in Ireland, where the power of the landlord is more absolute and more frequently put into use, the rents have only doubled. But now I pass from England to Scotland, where the tenure of the cultivator is still more secure than in England, because it is tied and bound in the main by leases.

And what is the case with Scotland? In Scotland in 1770 the rents were £1,200,000, and in 1869 they were £7,200,000. That is, where the tenure of the cultivator is most secure, and the landlord exercises the smallest amount of arbitrary jurisdiction, the rents have been sextupled nearly in the same time that they have been doubled in Ireland. I own that these facts appear to me full of instruction.

But now let us compare Ireland with Ulster—because in Ulster the tenure is more secure than it is in the rest of Ireland, and in fact Ulster may be said to enjoy practical security. Well, Arthur Young, fortunately for us, distinguishes between the rents of the eight counties where the Ulster custom prevails—which may be conveniently called tenant-right counties—and the rest of Ireland; and the case is this:—The rental of the eight counties where security or stability of tenure prevails was, in 1779, £990,000; in 1869, it was £2,830,000. That is, the rental has more than trebled, and that under a system, I admit, in some respects defective, and in some extravagant, but which still gives practical security. The rest of Ireland *minus* Ulster is what we must compare with the eight counties. Well, Sir, the rest of Ireland, *minus* Ulster, in 1779, according to Arthur Young, had a rental of £5,000,000; and in 1869 that rental was £9,200,000. That is to say, in the Provinces where the power of the landlord is greatest and the tenure is least secure, the rents did less than double themselves, whereas where the power of the landlord is least and the tenant is most secure—namely, in Ulster—the rental has increased more than three-fold.

This exemplified still more clearly by a comparison of Ulster with the rest of Ireland.

But, again, it may be said that in Ulster you have the influence of manufactures, and that manufactures tend powerfully to increase rents. Well, Sir, but Ulster had manufactures in 1770. I am not aware that the manufacturing character of a certain part of Ulster dates from any period later than 1770. Whether its manufactures relatively to agriculture stand differently in amount now from what they did then I do not know, but it is certainly correct to say that Ulster had the advantage—and the great advantage—of manufactures in 1770 as well as in 1869. But there is another point

which we shall do well to notice as to manufactures. Manufactures do not tend directly in the neighbourhood of their own immediate seats to produce good agriculture. Manufactures, by stimulating prices, produce good agriculture in a country generally; but the great manufacturing counties of England are not those most distinguished for good agriculture. I am sorry to confess that in Lancashire, for instance, where I was born, a county which has certainly achieved some celebrity for manufactures, and around Liverpool, though the district is much favoured by the neighbourhood of great estates such as those of Lord Derby and Lord Sefton, yet agriculture till a late period was, I will not say exactly the opprobrium, but certainly it was by no means the glory of the country. Take again the county of Northumberland. In general it is most famous for agriculture, but not in the neighbourhood of Newcastle; and I remember very well having learned at Newcastle that to improve the state of agriculture in that district a number of Norfolk ploughmen had been introduced. The reason of this is not far to seek. It is that where there is competition between agriculture and manufactures, or between agriculture and mining industry, those pursuits which pay the best wages get the best workmen, and it is to the weakest and least intelligent part of the population that the pursuit least remunerative—namely, agriculture—is committed.

Again, Sir, the results of an examination of the produce of Ulster will be found not a little remarkable. It is admitted on all hands that Ulster is greatly poorer in natural resources than any of the other three Provinces of Ireland. But what are its products? Its products may not be thought very extraordinary, perhaps, until I illustrate them by finding a measure of the natural producing power of the soil of Ireland in its different Provinces. The rateable product of Ulster is now somewhat higher than that of the rest of Ireland. The land under crop in Ulster is £6 3s. per acre; in the rest of Ireland it is £5 18s. In land under tillage it is for Ulster £1 12s. 8d.; for the rest of Ireland it is £1 11s. 6d. You may say that this is no very great difference; but consider the difference of natural fertility; and we



have a remarkable test of this natural fertility, because there was a period when a very careful valuation—as I may almost call it—of the respective fertility of the four Provinces of Ireland was made by the Parliament of this country, which was most closely sifted and tested by individuals who had a peculiar interest in arriving at the truth. At the time of the Great Rebellion the Parliament organized an army to send into Ireland. For that purpose it was necessary to raise money. It was obtained from a body of persons called Adventurers, who were to supply the necessary funds, and were to be paid by lands taken at certain prices, and these prices were to be different according as the lands were in one or another Province of Ireland. They were to have lands in Ulster at the price of £200 per 1,000 acres; they were to have lands in Connaught at the price of £300 per 1,000 acres; they were to have lands in Munster at the price of £150 per 1,000 acres; and they were to have lands in Leinster at the price of £600 per 1,000 acres. I strike out Leinster; because, though it was in part Irish, both English tenure and English blood, and something of an old civilization, might be said to prevail there at the time. I have no doubt that it was by far the richest Province at that day; but the other three Provinces may, I conceive, be taken as fairly representing the relative fertility of the soil. Indeed, if anything, the comparison is rather too favourable for Ulster, for it was thirty years after the settlement of James the First had been effected. On the whole, at least it is no unfair statement if we follow this classification, and say that the natural producing power of the ordinary soil of Ulster appears to be little more than one-half the producing power of Munster and Connaught; and yet under the state of things as it exists the actual produce of the soil is greater in Ulster than in the rest of the three Provinces. So, then, Sir, I think I make good my proposition that Ulster shows us, at any rate, as much as this; it is possible to find a remedy for this deadly evil of insecurity of tenure, and yet at the same time not to shake the stability of property.

Well, now, in considering what the remedy should be I may venture to say we have cast aside altogether any guidance

The Govern-  
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founded on

the teaching  
of experience,  
not on theo-  
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from the false lights of theory. We do not intend to approach legislation on the land tenure of Ireland with a view to give effect to this or that doctrine as to the mode in which the land is to be managed or cultivated. The question as to whether the properties into which a country is divided should be large or small; the question whether the holdings should be large or small; the question whether the tenancy should be yearly or for a longer term; the question whether improvements should be made by the landlord or by the tenant;—all these are matters on which, in my judgment, there is room for an immense variety of opinion, according to time, place, and circumstances. We wish to be guided, as far as can be, by experience. We wish to take the facts and circumstances of Ireland as we find them, and to apply them in the best manner we are able to the Bill which I have now to lay before you.

This is a “Bill to amend the law relating to the acquisition and occupation of Land in Ireland.” First of all I will dispose of that part which has reference to the acquisition of land, and which is the simplest portion of the measure. And here, Sir, let me say that I deeply regret the absence and the cause of the absence of the right hon. Member for Buckinghamshire, and I regret yet more deeply—as is natural—the absence and the cause of the absence of another Member of this House, the only one, perhaps, who can vie with him in distinction, I mean my right hon. Colleague the President of the Board of Trade, who is so deeply interested in the whole of this subject, and who has made those portions of it which relate to the acquisition of land in no small degree a special and favourite study. I will ask leave to read a few lines which he wrote to me on being seized with his recent indisposition. He uses the following words:—

“I cannot tell you how much I am disappointed at being absent from the meeting of Parliament, but I have distinct warnings of an attack something like that from which I suffered 14 years ago, and I dare not disregard them. I am quite unable to work, and must leave London for a time. I regret deeply that I cannot be at your side to vote and plead for the Irish Land Bill.”

After making reference to the varieties of opinion as to the Bill which may possibly be entertained, Mr. Bright proceeds—"I think it a just and comprehensive measure, and I hope the moderation and patriotism of Parliament will enable it soon to become law."

The measures, Sir, which we propose with respect to the ownership of land for the consideration of Parliament during the present Session, should Parliament adopt our view, are not exclusively those comprehended within the present Bill: other features will be included in other Bills, and I will presently notice them, for they do not apply to Ireland alone, but to some other parts of the United Kingdom. Among them will be a measure which I hope will be of immense benefit to the possessors of land in this country—a Bill for facilitating the transfer of land. Another will deal with the succession to real estate in cases of intestacy, and will give greater ease, freedom, and, I should add, justice to the play of the law than in its present case it can be said to possess. It is possible that there may be some other provisions analogous to these, which we may deal with during the present Session, and which will be applicable, not to Ireland alone, but beyond its limits also; because in reference to them we consider the circumstances of other portions of the United Kingdom to be so analogous as to warrant our dealing with them together. However, everything I am now about to say is confined exclusively to Ireland, and, in conformity with the language of the Speech from the Throne, the Bill relating to the tenure of land in Ireland will be "adapted to the peculiar circumstances of that country."

With regard to the important object of facilitating acquisition of land by those who do not now possess it, we propose in the first place arrangements for increasing the powers of owners. The manner I do not stop to explain, because time will not permit me; but I may say the arrangements will present a relaxation of the fetters which now confine the action of the owners of land. With respect to those who may desire the acquisition of land, we propose that loans of public money shall be granted to occupiers desirous to purchase from their landlords any cultivated lands now

Provisions for facilitating the acquisition and sale of land.

occupied by themselves, and this arrangement will be so framed as not to restrict the loans to cases of private contract, but to extend them also to those cases where the proprietor, attracted by the advantages of a Parliamentary title, thinks proper to carry his estate into the Encumbered Estates Court. This assistance will only be given to occupiers who are willing to buy where the landlord is willing to sell. They will be required to pay down not less than 25 per cent, and the repayment of the loan will be arranged upon the basis of the Drainage Acts.

I am not one of those who are disposed to take the most sanguine view of the extent to which a provision of this kind is likely to be acted upon; but I received a few days ago—not with reference to this Bill—a printed paper which shows that it is likely to be appreciated. Mr. Canning used to say that whoever prints publishes, and, independently of that dictum, this document bears no mark on it that it is private, and therefore I may advert to it. It is a statement of the tenants on the Marquess of Waterford's estate, in the county of Derry, and it appeals for a loan to assist them in the purchase of the estate. The case presents extraordinary features. The estate is not a small one—on the contrary, as I understand, the rental is £14,300, with several outgoings, leaving a net rental of more than £13,000 a year; yet here are a body of tenants who declare their readiness, if assisted by a loan, to organize a company for the purpose of purchasing the estate; prompted by the desire, no doubt, to save the sums they have paid for the tenant-right of their farms, and by a fear, perhaps, lest the estate should fall into the hands of an owner who would not respect the custom which had prevailed with regard to the tenure of land. This instance is calculated to show that provisions for the acquisition of land by the tenants may be more likely to be acted upon than many, and I confess myself to have been among the number, had exclusively imagined.

Further, Sir, we mean to relax the rule that these loans should be made to occupiers in a special case—namely, when a landlord is only willing to sell in block, and where

the tenants combining find means, with or without assistance from the Exchequer, for the purchase of a large portion of the estate, though not of the whole—say to the extent of four-fifths. In these cases it is proposed that assistance should be given to others, although not the occupiers, for the purchase of the remaining one-fifth.

With regard, again, to waste land, it is proposed to give loans to the owners, under this Act, for the purpose of preparing the waste land for occupation—by making roads, for instance, and by the erection of the necessary buildings; and by other operations not absolutely belonging to the reclamation of the land strictly so called, but such as to make them desirable objects for purchase, by those who are to undertake the operation of reclaiming, and who may be able to fulfil the conditions. It is also proposed, when a landlord after reclaiming] waste land may be desirous of selling it, to assist the purchaser, provided he can pay down a large portion of the price, and provided the landlord is willing to become joint security to the Government for the money—or that other security satisfactory in its nature can be had. It is unnecessary for me to go into detail at the present moment respecting the manner in which these transactions will be managed. Suffice it to say that they will be under the direction of the Board of Works in Dublin; but the point to which the Government mainly look is—first, that the conditions shall be *prima facie* reasonable; and secondly, that the security shall in all cases be sufficient; and the mode of repayment will be by the system of annuity, of which we have already had ample experience under the Drainage and other Acts, and which has been found to work so well. With regard to the ownership of land, I quit the subject with the remark that even those who do not think that any great sub-division of land is likely to arise from these propositions may be of opinion that, under the circumstances of Ireland, it is eminently to be desired that Parliament should be far from showing any jealousy of the ownership of the soil by the Irish people, but, on the contrary, should testify its readiness by all allowable means, even if they involve some extension of ordinary rules, to promote the attainment of that object.

Proposed  
Courts of Ad-  
judication in  
respect to  
Land Occu-  
pancy.

Now, Sir, having dealt with the subject of the acquisition of land, I come to the clauses which relate to the still greater and more urgent subject of the occupation of land. Our first proposal which I will name under this head—the proposal which, for the sake of convenience, I detach from all the rest—relates to the instrument by which the new law is to be administered. We propose to supply, as most necessary under the circumstances, a distinct and appropriate judicial machinery for the purpose of the Bill. That machinery will be two-fold. It will be either a Court of Arbitration or a Civil Bills Court, as they are respectively named in the measure. The Court of Arbitration will be a tribunal constituted in a simple manner by the voluntary choice of the parties; but it is necessary that its awards should, when once made, have the force of law. We are desirous of giving every encouragement for the settlement of matters arising under the measure by means of arbitration; and for these plain and simple reasons—first, because it is the cheapest and most direct method, and next, because it appears to be, according to the best evidence, a practice deeply engrained in the habits and dispositions of the people of Ireland.

When matters arising out of the operation of this Bill shall be settled by arbitration, there will be no appeal; but when parties desire to proceed before a tribunal invested directly with public authority they will go to the Civil Bills Court—that is to say, to the Civil side of the Court of Quarter Sessions—in which the Assistant Barrister acts alone as Judge of the Court. The Assistant Barrister will adjudicate the case and dispose of it under the following conditions. In the first place, if he thinks the matter too important for his own action, he may reserve a case for the decision of a higher tribunal; in the second place, if the parties are willing, he may give them an amicable and voluntary hearing in his own room in lieu of a contentious proceeding in Court; and, in the third place, whatever he decides he will decide subject to an appeal to a higher tribunal. This appellate tribunal will consist of the two Judges of Assize. If it should be found necessary for the purpose of quickening the process of appeal, it is proposed that three instead of two assizes shall

be held in Ireland, so as to shorten the period intervening between each assize; and the appeal to the Judges will be final. At the same time, if they find the matter submitted to them to be one which they cannot take the responsibility of deciding, they will have authority to reserve a case for a Court in Dublin, which in the Bill is called the Court for Land Cases: and this Court, which will be called into being for the purpose of receiving and disposing of those references will be composed of existing Judges, in part of equity and in part of common law. This is the nature of the tribunal to be erected. I will not enter into the provisions of the Bill with regard to the appointment of valuers and assessors: these are subaltern and subsidiary to those particulars which I have mentioned. But I wish to say a word with regard to the jurisdiction of this Court. Every one must feel that, in order to meet an unlimited variety of circumstances such as must arise in the cases coming before it, this Court must be invested with considerable discretionary power; on the other hand, the Government have felt that it would be neither just nor expedient to impose upon the Court the business of discovering the principles upon which land tenure should be regulated. We have, therefore, endeavoured to insert in the Bill everything which Parliament could usefully specify in the shape of positive provisions, and we have left the application of them to the discretion of the Court, taking care as well as we can to enlarge this discretion by a clause which will best explain itself, and which now stands as Clause 14. It is called the Equities Clause, and its purpose is to enable the Court in all cases to consider the equity as well as the law of the case. It runs as follows:—

“ On the hearing of any dispute between landlord and tenant in respect of compensation under this Act, either party may make any claim, urge any objection to the claim of the other, or plead any set-off such party may think fit . . . and the Court shall take into consideration any such claim, objection, or set-off, also any such default or unreasonable conduct of either party as may appear to the Court to affect any matter in dispute between the parties, and shall admit, reduce, or disallow altogether any such claim, objection, or set-off made or pleaded on behalf of either party as the Court thinks just, giving judgment on the case with

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“ On the hearing of any dispute between landlord and tenant in respect of compensation under this Act, either party may make any claim, urge any objection to the claim of the other, or plead any set-off such party may think fit . . . and the Court shall take into consideration any such claim, objection, or set-off, also any such default or unreasonable conduct of either party as may appear to the Court to affect any matter in dispute between the parties, and shall admit, reduce, or disallow altogether any such claim, objection, or set-off made or pleaded on behalf of either party as the Court thinks just, giving judgment on the case with

regard to all its circumstances, including such consideration of conduct as aforesaid."

The general aim of the Bill, therefore, will be to lay down clear and distinct propositions of law for the guidance of the Court, but to allow the Court to take into its view all that variety of considerations and circumstances by which the application of the rules ought to be affected.

Four classes  
of agricultural  
holdings in  
Ireland.

Having now, Sir, disposed of all preliminary and all collateral matter, I proceed to say that with respect to the legislation itself upon the tenure of land, there are four descriptions of holdings in Ireland which we have thought it our duty to keep specially in view. The first of these is the class of holdings which now exists under the Ulster custom. The second is the class that exists under other customs analogous, more or less, to that of Ulster, prevailing irregularly and variously over a large part of the surface of Ireland, but not having that definite existence and that weight of tradition and authority which belong to the Ulster custom. The third class is that residue of yearly tenancies which have not practically enjoyed hitherto any protection whatever from any custom, either such as that of Ulster or such as may be found in other parts of Ireland. In the fourth place, we have thought it right to keep in view that class of estates the landlords of which, already sensible of the mischiefs that prevail, have sought to apply a remedy by the voluntary introduction of a system of leases, and of leases in two forms—either, in the first place, leases after the Scotch and English fashion, under which a farm is delivered over with all its appliances, generally speaking, into the hands of the tenant for the purpose of effective cultivation, those appliances having been furnished by the landlord; and secondly, leases of the Irish character, somewhat longer generally in duration, but not usually attended with the same conditions on the part of the landlord in respect either of finding or assisting to find the buildings and other improvements necessary for the proper cultivation of the farm.

I. The Ulster  
Custom, and  
how the Bill  
deals with it.

First then, the question is how we are to deal with these holdings in Ireland which are under the Ulster custom.

The Bill will be limited in the strictest manner to agricultural holdings ; it will not touch any persons except those who are pursuing agriculture as an industry and a trade. I will here also say in order to disembarass myself of that part of the question, that there will be certain exceptions running through the Bill which it would be difficult now to describe in detail ; those exceptions will include, for instance, the gardens of such labourers as are the servants of the farmer or of the landlord, the lands held as demesne land, and the lands of miscellaneous character which were described in a former Bill as taken for special or temporary purposes. The House will perhaps for the present be good enough to take for granted that such matters have been considered and practically provided for by a series of exceptions to the general operation of the Bill. I am now to speak generally and broadly of all holdings that are held for agricultural purposes in the common sense of agriculture pursued as a trade.

How, then, are we to deal with the Ulster custom ? and what is the essential character of that custom ? The view we take of it is that it includes two elements—it includes compensation for improvements and it includes the price of goodwill. It is not necessary at present to investigate the history of the Ulster custom : whether it represents the ancient Irish ideas derived from the period of tribal possession ; whether it represents the covenants which were inserted by James the First in the charters granted to the settlers in that Province ; whether it has grown out of the happy political relations subsisting, for the most part, in Ulster between the landlords and the occupiers, which have induced landlords to view favourably the growth of such an usage ; or whether, lastly, it represents the payment of a kind of insurance for the safety of the incoming tenant when he obtains that possession of land which is so prized and valued in that country. Be that as it may, and without examining into these questions, we are content to take the Ulster custom as a matter of fact ; we say that it prevails, that it is admitted, that it is recognized by the landlords—not by each man as his individual act, but in deference rather to the authoritative traditions of the district ; that where it is impaired by the action

of one landlord, or destroyed by the action of another, that action is against the authoritative tradition of the district, and that the consent which Ulster generally has given to the continued prevalence of this custom, on the part of the landlords as well as on the part of the tenants, amounts to a virtual covenant between the parties. Viewing it as a covenant we propose to take it such as it is, to convert it into a law, and allow it to be examined into as a simple question of fact in all cases where dispute arises by the Courts that will be constituted under this Bill. They will have nothing to do but to examine questions of fact, and to give effect to the custom with the binding authority of law. This part of the Bill is very simple; we do not attempt to modify the custom; we do not inquire into its varieties (it is well known to vary within certain limits); we do not attempt to improve it or to qualify it; we leave it to be examined as a matter of fact, and when it shall have been so ascertained, the Judge will have nothing to do but to enforce it. There are but two subsidiary provisions that must be added in order to explain this portion of the Bill. First, where a landlord has by a deliberate arrangement in the nature of purchase with the occupier of the farm abrogated the Ulster custom, there it shall not be pleaded against him, but the land shall fall within the general scope of those provisions of the Bill which will be applicable to land tenures apart from custom. Secondly, where the tenant has proved the existence of the Ulster custom, and has obtained compensation accordingly, whether from the landlord or from the incoming tenant (as the custom may cause it to be) under the clause relating to it, he shall not be entitled to compensation under any other clauses of the Bill. The Equities Clause which I have just read will of course apply to adjudications under the Ulster custom as well as to all others. But the House will please to understand that, speaking generally, this clause with regard to the Ulster custom, where it prevails, is an isolated clause. It provides separately and completely for all that class of holdings, and that consequently they do not as a rule fall within the provisions of the Bill generally, which have reference to occupations and holdings not under the Ulster custom. So much with regard to the Ulster custom.

The Ulster custom, as I have said, does not absolutely overspread the whole of Ulster ; but it is confined to Ulster, in no case passing beyond its limits. When we come to the case of other customs that prevail outside Ulster these form a subject-matter more difficult to deal with. Undoubtedly our conclusion is that there is a very large amount of Irish usage by which payment is made from an incoming to an outgoing tenant; in some cases it is made with the consent of the landlord directly, in some others indirectly; but it is nowhere to our knowledge established as the fixed and authoritative tradition of a district. I may perhaps say that in many cases it is winked at by the landlord, in many other cases it is opposed, and in some it is repressed by the landlords, who view it with a greater or less degree of aversion. We have thought that, provided we did no injustice, it would be wise to found our Bill upon custom so far as it would carry us. This is an Irish usage, and the Bill deals with the circumstances of Ireland ; wherever there is a peculiarity in the circumstances of Ireland it is well to adopt that peculiarity as the foundation of our provisions, because the Irish people will fall more easily into the regular operation of a Bill which conforms to their own peculiar modes of action than they will into the working of a Bill which lays down modes of action altogether new to them. We have therefore thought, with reference to the condition of Ireland, that these are payments to which the Court should have regard, and which it may fairly take as an indication of the amount of loss and damage that a tenant suffers by eviction from his holding. We have stopped short of saying that which we propose to say in the case of the Ulster custom, that it shall be made absolutely and in all cases binding upon the landlord, for this reason—that it does not bear with the same unmistakeable clearness the character of a virtual covenant authenticated by a long and wide-spread practice. We propose that these other customs, where their existence is established either by the landlord or by the tenant, shall be legalized ; but we propose also to subject them to some restrictions which will not apply to the Ulster custom. In the first place, the tenant may claim as an absolute right a customary payment, out of Ulster, only in cases where he is dis-

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turbed in his tenancy by the act of his landlord. In Ulster, I believe, it makes no difference whether a man is a retiring or an evicted tenant. With regard to these customs out of Ulster, we propose to limit their binding and absolute operation to cases where the tenant is disturbed by the act of the landlord. We propose that the tenant shall not be allowed to take the benefit of these customs if he is evicted for non-payment of rent. Thirdly, we propose that he shall not have the benefit of the custom if he sublets or subdivides his holding, after the passing of the Act, without the consent of the landlord, except it be for a purpose strictly defined in the Bill with regard to cottages and gardens held by the labourers and required for the cultivation of the farm—an exception the necessity of which will be obvious. The fourth condition which we attach to the application of these customs is that not only arrears of rent but damages done by the tenant to the farm may be pleaded by the landlord as a set-off. And the fifth condition is one which I will explain more fully by-and-by. It is this—that the landlord may, if he thinks proper, bar the pleading of any such custom if he chooses to give his tenant a lease for not less than thirty-one years, attended with terms and conditions which I shall have occasion presently to describe.

We have, therefore, got thus far. The Ulster custom is absolutely recognized in Ulster. Outside the limits of Ulster these less binding customs are recognized, but subject to the five conditions which I have just enumerated.

But there are a good many cases where no such customs may be found, and where, at the same time, the tenant is not protected by any lease, and feels in its full force that tremendous evil of insecurity of tenure, which may at present be said to be the monster evil of Ireland. We propose to deal with these cases by establishing a scale of damages for eviction. This scale of damages is, of course, subject to limitations. In the first place, it is subject to all the limitations that I have just described as applying to customs other than the Ulster custom; it can only be applied when the landlord disturbs the tenant in his holding; it cannot be applied if the tenant sublets or subdivides his holding, or if he be evicted for non-

payment of rent ; arrears of rent and damage to the farm may be set off against it ; and it may be barred by a length of lease of thirty-one years or upwards. It is also provided that in case of holdings above £50 parties may "contract themselves out" of this provision of the Act—what I call the scale section, the section for scale of damages—provided they receive a lease for at least twenty-one years, and if by that lease the landlord contracts to execute the improvements necessary in order to cultivate the soil in the due manner of husbandry. It is likewise provided that in farms of a certain size, the parties may, if they please, "contract themselves out" of this provision of the Act, as I believe some lawyers term it. Our reason for here introducing this liberty is as follows:—Our desire is to interfere with freedom of contract as little as possible. We are about to interfere with it in regard to the terms on which minor tenancies may be taken, because we say that in the circumstances of Ireland the tenant is not free ; but as we move upwards in the scale of the value of holdings, at last, undoubtedly, we reach a point where the tenant may be said to be free. No one would say, for instance, that a tenant of £500 a year in Ireland was not substantially and for the most part as free as a farmer of the corresponding class in England. Therefore, we propose to provide, with regard to the scale of damages for eviction, that persons having a farm not rented but valued in the public valuation at £100 and upwards, may, if they think fit, contract themselves out of this section of the Act.

Now as to the scale of damages itself, which I will explain to the House as clearly as I can. In applying this scale the Judge is required by the Act to have regard to two things—first, the improvements which have been executed by the tenant upon the farm, and, secondly, the loss which the occupier is about to sustain by being ejected from his holding. These are the two main elements which the Judge will be required to take into view. The scale, therefore, includes in part compensation for improvements. It includes compensation for the minor and more ordinary improvements—for manures and tillages, for fencing, and for some other matters. But there are some improvements of so special a character

that we have felt that the tenant ought to be entitled to claim his compensation for them—assuming him to be entitled to ask for such a compensation—irrespective of the claim for damages by eviction ; and these are improvements falling under the two heads, firstly, of permanent buildings, and, secondly, of the reclamation of land. I must own it was a matter of surprise to me when I found it was a common practice in Ireland—it is not so, as far as my knowledge goes, in England—to value buildings on a farm apart from the farm itself. But it does appear to be a common practice ; the people seem to have adapted themselves to it, and there may be a greater facility in dealing with permanent buildings apart from the rest of the Act on account of that practice, as, on the other hand, there is a facility in dealing with the reclamation of land apart from the rest of the claim, because it is an operation separate from the general operations of the farm. Subject, then, to a further compensation for permanent buildings and for reclamation of land, and likewise subject to all the conditions that I stated as embodied in “the Equities Clause,” and elsewhere, the Judge will, or may, award to the tenant according to a varying scale. This scale has reference to holdings of different value. If the holding is not valued in the public valuation at over £10 the Judge may award to the tenant a sum which is not to exceed seven years’ rent : if the holding is between £10 and £50 he may award a sum not exceeding five years’ rent ; if between £50 and £100, a sum not exceeding three years’ rent ; and if over £100, a sum not exceeding two years’ rent. And over and above the award upon that scale, the Judge will have to deal separately with the question of permanent buildings and the reclamation of land. Now what, as I take it, will usually happen will be this—This sum, which cannot be exceeded, is the sum which the Judge will set before himself at the outset as a standard. It will be then open to the landlord to come in and to put in proof any matter that he may think proper, of such a nature as, in his opinion, ought to go in diminution of the claims, and some of these matters are very palpable. For instance, suppose the case of a landlord, the value of whose land has, from circumstances, undergone a



real increase otherwise than from the labour of the tenant. That landlord is entitled to a fair increase of rent. But suppose the tenant refuses to pay any increase whatever, and says —“Evict me if you dare” —trusting to the scale of damages. The landlord evicts. The case comes before the Judge. The landlord may say—“It is true I have evicted this man, but I have done so because he only pays me 15s. an acre, and I will show you that the land is worth a great deal more; it is a case for an augmentation of rent, and I called upon him to pay 20s. an acre, but he claims to remain at the present rent.” That will be a matter for the Judge to take fairly into consideration, and he will make deductions from the tenant’s claim on that account. Or take another case. Suppose the landlord, desiring, for a particular reason, to obtain possession of a particular holding, offers to the tenant a holding of the same kind, or a better one, on his own property, so that, in point of fact, the tenant probably sustains neither damage nor inconvenience. The landlord ought to be able to plead this, and to show it to the Judge; and when he does so, and shows that he has only evicted the tenant on account of the tenant’s unreasonable conduct, the Judge will make a deduction in consequence from the amount of damages which the landlord would be otherwise liable to pay. In truth, the Equities Clause will enable the Judge to take fully into view, and weigh in his own mind, all those points which affect the real merits of the case, by lowering the amount of compensation, or even, should the case warrant it, by refusing compensation altogether, although the landlord may have been driven to evict the tenant. In the ordinary case of eviction for non-payment of rent, or for sub-dividing the land, the House will understand that the scale does not apply at all.

So far, I have covered that portion of the ground which belongs to the three cases of the Ulster custom, the customs variously prevailing outside Ulster, and the holdings which are comprised under neither of those heads, but which are held either by the year or for short terms of years. Now, notwithstanding all I have said, and although it is quite obvious that wherever payment is made on the ground of

custom, that payment will include the value of the improvements, yet it is necessary for us to have separate legislation in regard to those improvements, because by this separate legislation will be governed the case of the tenant who wishes to retire. It would not be fair that, upon his expressing his wish to quit his farm, his landlord should be called on to pay him money for any loss he may suffer by his departure; but, upon the other hand, it would be perfectly fair that the retiring tenant should be able to claim the value of his improvements, the value of which would accrue to the landlord. Take, again, the case of a man evicted for the non-payment of rent. We do not in this case, speaking generally, allow for the damage caused by eviction; but we do not see why, because he has failed to pay his rent, possibly from misfortune rather than by his wilful fault, he ought to forfeit all the value of his improvements. That being so, we propose, over and above the legislation I have already detailed, to legislate on the subject of improvements. But what is an improvement? That, Sir, is a question which has cost us some trouble. Indeed, I am bound to say, a great many things in this Bill might warrant the same remark, for the subject is one of great complexity and difficulty, and I am much mistaken if the House will not find it to be so before its task shall have been completed. With the utmost goodwill and zeal, they will, I fear, have to spend a considerable amount of time upon the Bill in the endeavour to bring it as nearly as possible to perfection. We have, however, I think, determined upon a very fair definition of what ought to be held as constituting an "improvement." In the first place, it must add to the letting value of the land; in the second place, it must be suitable to the nature of the holding. If the tenant, unfortunately for himself, chooses to lay out money on improvements which do not improve, and do not add to the letting value of the holding, that is his affair, and not the landlord's. If, on the other hand, he chooses to lay out his money in making additions to his holding, which do add to the letting value, but which are not suitable for the purposes of agriculture, the landlord is not to be bound to pay for such an improvement, because it does not come within the proper scope of the tenancy. A case

Compensation for improvements.

Improvements defined.

which has been mentioned to me, for instance, is that of a farm abutting on the seashore, on which the tenant chose to build a bathing-house. It is very probable that this bathing-house may add to the letting value of the farm, but evidently the tenant ought not to be entitled to payment for it as an improvement. That, undoubtedly, is not a sort of improvement which will come within the meaning of this Bill, for it must be something not only adding to the letting value of the land, but also suitable to the nature of the holding.

Thus understanding the word "improvement," what we propose to do is exactly to reverse the presumption of the present law. The law, as it stands, absolutely gives the improvements to the landlord and presumes them to be his work. We propose to presume them to be the work of the tenant, and to leave to the landlord the business of showing, if he can, that such is not the case. If they are the work of the tenant, they will, according to our Bill, be his property, and it will be for the landlord to show that they are not the work of the tenant if he disputes the claim to compensation. The justice of this provision, that the burden of proof should be thrown on the landlord, is, I think, obvious. For how does the case stand? The occupier is in most instances a poor man, who has no agents, no legal adviser, no representative, who may be here to-day and gone to-morrow. For him to give proof with regard to improvements, and especially with regard to improvements which might have been executed by those predecessors from whom he might have derived his title, would be almost impossible. The landlord, on the other hand, possesses all the machinery connected with the management of his estate; he has the necessary books and records, which he can without difficulty produce, and he can probably command a continuous chain of evidence; and we therefore cast the burden of proof on him who is able to bear it, and relieve from the burden the man who is not in that position.

This great and important change in the law will, of course, be subject to certain limitations.

The House will, however, have observed that we do not limit the operation of the new law to future improvements. It is absolutely necessary that it should extend to those

The Bill reverses the present law, which gives the presumption of the improvements in favour of the landlord.

The tenant to be entitled to compensation for retrospective improve-

ments, but  
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already made. Had we thought fit, or had we happily been enabled a quarter of a century ago, in 1845, to deal with this question of improvements, it might have been satisfactory from some points of view, and sufficient for public purposes, to provide for the cases of future improvements alone. But having, unfortunately, adjourned for so long a time the day of settlement of the question, and that day having now arrived, it is quite plain, in the view of the Government—and I do not expect, from all I can see of public opinion, that it will be disputed in any quarter—that any legislation as to improvements must in principle embrace retrospective improvements. Still, it is necessary to impose some special limitations on these retrospective claims; and the limitations which we ask the House to impose specially upon them are these, in the justice of which I think most persons will be disposed to agree. We propose, first of all, that no claim is to be allowed for any improvement made more than twenty years before the passing of the Act, unless it be in the nature of a permanent building or of reclamation of land. In the second place, such claim may not be made by the tenant under any lease or contract now existing, if it be excluded by the terms of the lease or contract. It is, in the third place, provided with respect to past improvements that the Court may take into consideration the time for which and the terms on which they have already been enjoyed by the tenant. This provision I look upon as one required by the circumstances of the case, for if it were not adopted, we should be making a law to bear with comparative severity on the best landlords, while we should be showing the greater favour towards the worst. The landlord who had closely followed up every improvement made by his tenant with an increase of rent would, unless we introduced into our Bill some such provision, be placed exactly on the same footing with the man who had respected the property of his tenant, and allowed him to continue on easy terms, having reference only to the prior value of a farm, and not to the increased value imparted by the tenant's capital and labour. That is, I think, a sufficient justification of this particular provision.

Then there are other limitations, such, namely, as apply

generally to all improvements. One of these is that no claim may be made in respect of an improvement which is contrary to any contract hereafter voluntarily entered into by the tenant, and which is not required for the due cultivation of the soil. The House will here observe the operation of the principle which I have laid down—that, speaking generally, we do not allow parties to “contract themselves out” of the Act. We are reluctant to allow parties by contract to divest themselves of all right to make improvements. We fear that under the circumstances of Ireland, an ostensible freedom in this respect might in reality nullify the effect of our legislation. We, therefore, absolutely reserve to the tenant, whether he will or not, the right to make all the improvements which may be required for the due cultivation of his farm, and we give him no discretion with respect to renouncing his right to improve, except in regard to improvements lying beyond the range of this definition.

Parties not allowed to “contract themselves out” of the Act except in the cases specially provided for.

There is here a subsidiary proposition, to the effect that for the space of two years from the passing of the Act, or during the residue of any unexpired contract, the landlord may prohibit an improvement on the ground that it would be injurious to his estate, but subject to the condition that the Land Court agrees with him in that view. This is a provision which hon. Gentlemen will understand better when they see it as stated in the Bill. The object of the provision is to prevent the risk that unfair advantage might be taken of the period of transition, and that the landlord might be damaged by operations which might be effected before a new contract could be entered into.

There is yet another class of improvements also which are excluded from the provisions of the Bill; I allude to improvements executed by the tenant in cases where the landlord has let a farm under the condition that he will himself execute such improvements. For improvements which are the subject of such a covenant on the landlord's part no claim can be made, unless the landlord has failed in his undertaking. It is impossible, as we think, to deny that the first right to improve the soil belongs to the owner. We, therefore, give the landlord the right to undertake improvements, and we exclude

the tenant from any interference with that right, until his landlord shall have shown that he does not intend to fulfil his obligation.

Lastly, there is another limitation in regard to claims for improvements. It is a limitation which arises under leases, and with this I will presently proceed to deal.

#### IV. Leases.

Thus far, Sir, I have mentioned four main provisions with respect to the occupation of land in Ireland; but I have also to deal with the case of land under lease, with respect to which it is necessary to make some separate provision. Many landlords may say that they do not object to granting security or stability of tenure, but that they prefer to do it by the method of lease rather than in the shape of compensation for eviction from yearly or other short tenancies. Where a lease is of competent length, we consider that the parties to it must be understood to be perfectly cognizant of the relations into which they enter; and we consider it to be found by experience that the more definite those relations the greater will be the exertion of the farmer, the more fully will he develop the agricultural resources of the country, and the more complete will be, as a general rule, the satisfaction of all concerned. Therefore we think the Bill should be framed, on the one hand, so as not to compel leases, but that it should, on the other hand, be so framed as in no way to discourage them. We therefore say to the landlord by the Bill—"If you have heretofore adopted the system of leases, we are unwilling to do anything to drive you out of it; but if you are disposed to adopt for the first time the system of leases rather than to allow customs of a somewhat indefinite character to prevail, or to allow yourself to fall under the scale of damages for eviction, we will lay down the conditions under which you may do it." A landlord, then, may, according to the 16th clause, exempt his lands from being subject to any custom, except the Ulster custom, or from being subject to the scale of damages, provided he agrees to give the tenant a lease such as I will now describe. First, it must be for thirty-one years; and, secondly, it must leave to the tenant at the end of those thirty-one years a right to claim compensation under three heads—first,

the head of tillages and manures—and it is as much for the interest of the landlord as of the tenant that the latter should retain that right, as otherwise the ground would run out with the lease; secondly, for permanent buildings; and thirdly, for the reclamation of land. But besides this, the lease must be in regard to rent and to covenants approved by the Court. The House will at once see why we are reluctantly obliged to make the Court in this particular instance the arbiter of the prospective arrangement between the tenant and his landlord. And the reason is this. By the Bill the tenant is invested with a certain title in his holding—a title to claim for improvements absolutely if he retire, and a title to claim for customary payment, or for damages and for certain improvements, if he be evicted. Thus the actual tenant is put in possession of an inchoate or presumptive right. Now, we are going to allow the landlord by leases to bar that claim on the part of the tenant and to substitute for it the conditions and incidents of leasehold tenure. If, however, we do that, it is evident we cannot leave it to the landlord to dictate absolutely the rent he might demand, or the conditions he might insert in the lease, for that would enable him absolutely to nullify the whole interest we have created on behalf of the tenant. Therefore, to have the effect of barring good-will or customary payment, a lease must be not only one for a term of thirty-one years, and one reserving certain rights to the tenant at the end of that term, but it must also be in terms subject to the approval of the Court.

So much for the leasing power at the present moment. But we have also the future to consider. And the idea we have is this. We wish to grant to the landlord the permanent power, if he think fit, of keeping the general claim for good-will off his estate. This cannot, of course, be done by one lease. It can be done by one lease as far as the particular term and the particular person is concerned, and that lease would be for thirty-one years independently of any landlord's improvements, or might alternatively be for twenty-one years if the improvements are to be made by the landlord and if the farm be of a certain value. But the situation of the parties at the end of that term will be altered. If the landlord, after

the land has been held on one of these statutory leases, does not think fit to continue the system of leases, good-will will immediately grow up as a plant grows from the ground. If he gets a yearly tenant, or allows his lessee to become a yearly tenant, or a tenant at a short term of years, the new tenant, or his lessee, as the case may be, will be invested with a title of good-will: but the landlord may, if he think fit, follow up the thirty-one years' lease with a second lease; and if he chooses to keep up a series of these leases he may hold his land under lease perfectly free both from the intervention of any claim for good-will and from any further intervention of the Court. The intervention of the Court is necessary up to this time because the lease is to bar the presumptive right which the Act would give to the tenant; but at the expiration of the first lease, the transaction, as far as the tenant is concerned, will be wound up, and the landlord will be under no obligation to anybody except to give a lease conformably to the conditions enacted by the Act. He may take the lease into the open market, and give it to the best bidder; but if he cannot find anybody to take it, and if the land falls under an inferior description of tenure, he will be liable to good-will just as if he had never given any lease at all. I have here used the phrase good-will as an equivalent for the payments to be made either under what the Bill terms other custom, or under the Scale Clause.

We have been very anxious to avoid by this Bill any interference of a public authority with any existing rent; but when we look at the case of Ireland we are compelled to admit that, of late years especially, there may have grown up in certain cases contracts for rent of a character most extravagant, which it is totally impossible for the tenant to pay and at the same time to live upon his holding. I will mention a case which was told me by the proprietor of an estate in Ireland. He said, in substance — "There is an estate adjoining mine, which was sold in the Encumbered Estates Court. The land on both sides of the border is of exactly the same quality. My land is rented at 15s. an acre, and I consider it rather moderately rented; no doubt if I tried I could get 18s. an acre for it; but not more with any kind of

Exorbitant  
rents



justice or moderation. The moment the land adjoining mine was sold in the Encumbered Estates Court a demand was made on the tenant for 32s. an acre. This was refused. But the rent was actually raised to 24s. an acre." It was absolutely impossible for a tenant to pay that amount of rent and live upon the land; but, under the pressure of this deadly necessity, which we say—not in all cases, but very often practically impairs—and which, in some cases, really destroys freedom of contract on the part of Irish occupiers, they have been compelled, as a question of dear life, to enter into agreements which they cannot fulfil with any justice to themselves.

The Bill will proceed upon the principle—and my hon. Friend the Member for Cork (Mr. Maguire), who has taken so laudable an interest in this subject, cannot understand me too clearly on this point—that from the moment the measure is passed every Irishman, small and great, must be absolutely responsible for every contract into which he enters. By the Bill we endeavour to establish a fair and equitable state of reciprocal rights and duties; and having done this, we ought to embody in it nothing that can encourage any man to tamper with good faith, or to disparage or undervalue in any shape security and solidity of contracts. But we do feel that in certain cases there is a given amount of difficulty as to some of those contracts now in existence, which may have been made under what we admit to have been an unfair and inequitable state of circumstances.

Now, the provision we have made to meet the peculiar class of cases I have described is this. The case supposed is that such a man as I have just sketched to the House may find himself unable in good faith to pay the rent, or to make out of the land what every tenant ought to make in proportion to the rent he pays. We provide by the Bill that, as a general rule, eviction for non-payment of rent shall be held to be an absolute bar to any claim upon the landlord except for improvement; but with regard to those cases where the Court upon its responsibility and in its discretion finds special circumstances, we allow it in the exercise of its discretion to allow damages even though the eviction be for non-payment of rent. The Clause runs as follows :—

provided  
against in the  
Bill.

“For the purposes of this Act ejectment for non-payment of rent shall not be deemed disturbance of the tenant by the act of the landlord.”

And with regard to all prospective contracts it is absolutely necessary that if the landlord evict for non-payment of rent that should not be in the sense of the Bill a disturbance of the tenant by the landlord, for the tenant will disturb himself by non-payment of the rent. But as respects present holdings, we add the following qualification:—

“Unless the Court decide on special grounds that it ought to be deemed a disturbance in the case of a person claiming compensation on such determination of a tenancy existing at the time of the passing of this Act.”

Consequently in one of these cruel cases where there is really a gross inequality to redress, supposing the man to make a fair offer of full and competent rent and to decline to be responsible for the excess, and supposing also that he was ejected from his holding for being unable to pay, that would be a matter for the jurisdiction of the Court, which might award to a man thus disturbed by the act of the landlord something in regard to the destitute condition into which he would be thrown and the injury he may be held to have suffered.

Even out of Ulster a tenant must be allowed to dispose of the good-will of his farm in all cases where such good-will has been paid for with the consent of the landlord.

Another provision of some importance, and one which will ease the working of the Bill, is that where the incoming tenant, even out of Ulster, has paid a sum of money to the outgoing tenant with the consent of the landlord, then if the landlord will not allow him to dispose of his interest to an incoming tenant, we provide that the Court shall have discretion to make an award against the landlord in respect of the sum so paid.

I adverted some time ago to the notice to quit as an instrument through which in some cases, but I hope and believe not in many, most grievous suffering has been systematically inflicted. Now, as we have endeavoured to load eviction with conditions which may prevent its being used as an engine of arbitrary power, we think it also necessary to clog the action of these notices to quit. A notice to quit must, according to the Bill, be a notice for twelve months, instead of

Notices to quit must be for twelve

six; the term of notice must commence from the last gale day of the current year; and finally, every notice to quit must bear a stamp duty of 2s. 6d. It is said that there are some landlords in Ireland who entertain themselves from year to year by printing notices to quit on the back of their receipts for rent; and it is certainly intended, if they should feel it necessary for their own purposes to prosecute that amusement hereafter, that they shall find it more expensive than it has been heretofore.

months, and  
subject to a  
stamp duty of  
2s. 6d. each.

Then there is another provision which I must mention, although I have already so long taxed the patience of the House; and it has relation to the county cess. We think that this Bill affords a convenient opportunity for dealing with the question of county cess. The House is aware of the recommendation made by a Committee of this House that the county cess should be placed upon the same footing as the poor's rates, with regard to its relation to the owner and occupier. We propose to assimilate it to the poor rate; but we hesitate to effect the change at once in regard to all holdings whatsoever. We therefore propose the following two-fold enactment. In the first place, in all new tenancies one moiety of the county cess shall be paid by the landlord and the other moiety by the tenant, according to the mode in which the payment of the poor's rate is now regulated; and in every old tenancy under £4 in value the occupier shall at once be relieved of it. We think that every landlord in Ireland would be disposed to say, with regard to these small holdings, where the sum is insignificant, that the change had better be made at once; but this plan could not be followed in the case of the larger holdings without causing probable disturbance to existing arrangements of rent, and this would be a disturbance which, particularly at the present moment, we should be very sorry to bring about.

Provision in  
regard to  
County Cess.

Now, I think I have completed my very imperfect statement of the provisions of this great and necessarily complex measure. There are subjects of importance to which I have not adverted at all, and there are others on which I have but slightly touched, because I know that there are limits to the capacity of human attention, and I feel that those limits have

been reached. We have toiled hard in the construction of this measure, but we are far from believing it to be perfect; and we invite, in unreserved good faith, the co-operation of all parties and of all Members of this House. Our desire is that when it has received the sanction of the Legislature it may become a great gift to Ireland, and may put an end to the grievances and sufferings which have so long accompanied the tenure of land in that country. We found it necessary to propose a Bill which, in our judgment, should be adequate. We sought to give security of tenure to the occupiers of the soil; and this we found it impossible to do by any less operative measure than that of, firstly, by attaching to evictions such conditions as would render them impolitic and difficult on the part of the landlord, unless there existed strong and most legitimate reasons why he should resort to this extremest remedy; and, secondly, of securing the evicted tenant, if he had fulfilled his contract, from the danger and the fear of being thrown out upon the world without carrying with him a fair and reasonable compensation—not only for the improvements which he had effected, but also for the deprivation of those means of livelihood which had been afforded him by the occupation of the land from which he was evicted. But we have not knowingly at least proceeded in any spirit of partizanship, and as we have afforded the occupier improved security of tenure, so also have we afforded the landlord improved security for his rent, and improved security, as we think, for the better cultivation of his land; indeed we have, I hope not unwisely, given him powers against the unauthorized sub-letting and sub-dividing of his property, which he does not now enjoy; for the tenant, if he choose to resort to such a practice, will lose some of the greatest advantages offered him by this Bill. In addition to this, we have likewise given to the landlord free scope to intercept by means of leases, if he thinks fit, the more exceptional operation of the Bill.

I may now, perhaps, be asked what we have done for the Irish labourer. For him we have done what the case will permit. We have allowed the tenant to sub-divide and sub-let for cottages and gardens to be let to the labourers employed upon the holding; and, in offering from the public

The Bill will afford improved security of tenure to the occupier, and improved security of rent to the landlord.

What the Bill does for the Irish labourer.

funds facilities for the acquisition of land, we have been careful not to exclude the acquisition of land in small quantities. But the only great boon—and it is a great boon—which it is in the power of the Legislature to give to the agricultural labourer in Ireland is to increase the demand for his labour, and by imparting a stimulus to the agriculture of that country, to insure its requiring more strong arms to carry it on, and thereby to bring more bidders into the market for those arms, and raise the natural and legitimate price of their labour. Unless we are mistaken, one of the specific evils which has arisen from the practice of exacting an increased rent in proportion to an increased produce is, that many a small occupier is, out of fear of having to pay more for his holding, led to convert his tillage into pasture, or to keep land in pasture which ought to be converted into tillage. By either course of proceeding he lessens the demand for agricultural labour. But, if we can only convince every man that from the time this Act passes he will be able to prosecute his industry in security, and in the manner most advantageous to himself, so that all the land that is fit for tillage may be devoted to tillage, and that, in a word, the noble pursuit of agriculture shall be practically as well as theoretically free, we, in so doing, shall confer upon the agricultural labourer the greatest boon which it is in our power to bestow.

But, I may be asked why I think this Bill will be accepted, and what we believe will be its effect. Well, Sir, I reply that in our judgment the first effect of this Bill will be to render the landlords liable to charges which they do not at the present moment incur; but in landlords—speaking of them as a class—I repose so much of confidence, that they will consent to bear the heavy responsibilities which attach to that species of property. I have known heretofore, and within the walls of this House, appeals made to the possessors of this great and primary form of property in this country to come forward freely for the general advantage—in which, of course, their own advantage is ultimately involved—and to bear burdens not hitherto laid upon them; and I have seen such an appeal freely and readily responded to. Of course, the general effect of this measure is to impose the possibility of

General effect and prospects of the Bill.

an immediate loss upon the landlord. The landlord will absolutely lose his claim to many improvements heretofore made by his tenant, and if he evicts he will be subject to customary payment, or to payment under the scale of damages. But I am not prepared to admit that in the operation of this Bill, if it be in truth a well-devised measure for its end, the landlord will be ultimately a loser. It is my firm belief that he will be an ultimate gainer. In this matter it does not follow that what you take from one party you give to another, even though it be possible that there may be a loss in the first effort at rectifying their relations. With regard to the controversy whether Ireland is rented high or low—my belief is that if you look on the one hand to the quality and capacity of the soil of Ireland, and on the other hand to the condition of those who own and cultivate it, the land is rented low for the most part with relation to what the landlord receives, and yet in very many cases high as regards that share of the produce which the tenant obtains; and in now endeavouring to secure increased prosperity for the tenant we are pursuing this design by giving him encouragement and facility to extract it from the soil, and not by taking a single farthing from the pockets of the landlord. There is, as I believe, a huge fund of national wealth in the soil, as yet undeveloped. Every traveller in Ireland tells you that there is abundant wealth in the soil if you had but a better system of tenure, and that were the people but encouraged to use more freely their great energies in their agricultural pursuits, we should speedily witness a great increase in the produce of the land. That increase some place at 30, some at 40, and others at 50 per cent; some even do not scruple to carry it to a still higher figure. But any of these estimates—and I believe the lowest to be much within the mark—represents a fund which does not now exist for any practical purpose, but which this Act will probably call into active and prolific existence—a fund which will be available primarily for the benefit of the tenant, but ultimately, without doubt, also for the benefit of the landlord. If, however, this proposition should be questioned, I ask you to fall back in mind to the figures I have given you in connection with Ulster,

and to look to the security of rent and the larger produce in that Province as compared with the other Provinces of Ireland. I am persuaded, Sir, that if only we have the assistance of this House in adjusting the provisions of the Bill no long time will elapse before the landlord will have cause to rejoice not less than the tenant in the adoption of measure by the Legislature. And if, on the other hand, I am asked why I believe the Bill will be accepted by the tenant, I will say that, though it does not profess to transfer to others the rights of the landlord in the soil, I still believe it will be accepted, and I found this belief upon a firm conviction of the truth of that remarkable declaration which was made two centuries and a half ago by one of the most acute observers of his day, Sir John Davies, the Attorney General of James the First, whose writings upon Ireland are even now full of interest and instruction. In those writings are contained these memorable words —“There is no nation of people under the sun that doth love equal and indifferent justice better than the Irish.” That was true in the 17th century, and nothing that has since happened has tended, in my mind, to shake its truth. The Irish people, as lovers of justice, while demanding justice for themselves, will desire justice for others. Justice for themselves will have been obtained when they are able to pursue their industry in peace and confidence, with a certainty of reaping its fruits. More than that they will not ask; and as the whole aim of this Bill is to secure for them those great advantages, I am persuaded that they will accept it as a just and valuable boon.

And if, again, I am asked what I hope to effect by this Bill, I certainly hope we shall effect a great change in Ireland; but I hope also—and confidently believe—that this change will be accomplished by gentle means. Every line of the measure has been studied with the keenest desire that it shall import as little as possible of shock or violent alteration into any single arrangement now existing between landlord and tenant in Ireland. There is, no doubt, much to be undone—there is, no doubt, much to be improved—but what we desire is that the work of this Bill should be like the work of Nature herself when on the face of a desolated land she

restores what has been laid waste by the wild and savage hand of man. Its operations, we believe, will be quiet and gradual. We wish to alarm none; we wish to injure no one. What we wish is that where there has been despondency there shall be hope; where there has been mistrust there shall be confidence; where there has been alienation and hate, there shall, however gradually, be woven the ties of a strong attachment between man and man. This we know cannot be done in a day. The measure has reference to evils which have been long at work, their roots strike far back into bygone centuries; and it is against the ordinance of Providence, as it is against the interest of man, that immediate réparation should in such cases be possible; for one of the main restraints of misdoing would be removed if the consequences of misdoing could in a moment receive a remedy. For such réparation and such effects it is that we look from this Bill; and we reckon on them not less surely and not less confidently because we know they must be gradual and slow; and because we are likewise aware that if it be poisoned by the malignant agency of angry or of bitter passions, it cannot do its proper work. In order that there may be a hope of its entire success it must be passed—not as a triumph of party over party, or class over class; not as the lifting up of an ensign to record the downfall of that which has once been great and powerful—but as a common work of common love and good-will to the common good of our common country. With such objects, and in such a spirit as that, this House will address itself to the work, and sustain the feeble efforts of the Government. And my hope, at least, is high and ardent that we shall live to see our work prosper in our hand, and that in that Ireland which we desire to unite to England and Scotland by the only enduring ties, those of free will and free affection, peace, order, and a settled and cheerful industry will diffuse their blessings from year to year, and from day to day, over a smiling land.



A  
S P E E C H

DELIVERED IN THE HOUSE OF COMMONS ON  
MARCH 11, 1870.

ON THE  
SECOND READING  
OF  
THE IRISH LAND BILL.

BY THE RIGHT HONOURABLE  
W. E. GLADSTONE.

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# SPEECH OF MR. GLADSTONE

ON THE

SECOND READING OF

## THE IRISH LAND BILL.

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MR. GLADSTONE.—I do not feel it to be any part of my duty on this occasion to attempt an elaborate criticism upon the speech of the right hon. Gentleman. With respect to his closing remarks and his reference to the state of Ireland, although I by no means consider myself as open to censure for having pointed out on a former evening that the best method of gathering the true purport of a Judge's charge was to read the document, yet I make no complaint of the general tenour of the right hon. Gentleman's reference to the condition of that country. Again, I need not follow him through the historical review with which he commenced his speech; for it is but indirectly related to the present debate, and I only notice it for the purpose of entering my demurrer to its precise accuracy. With regard to the right hon. Gentleman's project of an Irish Land Bill, which he has laid before us with the utmost frankness, I do not think it is at all necessary to make it the subject at present of detailed consideration. But I am tempted to suggest a difficulty to the mind of the right hon. Gentleman. I grant that his conception is marked by at least one attribute of genius, and that the one he has had most in view, namely, simplicity; for what he has sketched in effect comes to this: "Leave customs where they are, respect freedom of contract, and appoint a judge who, when a tenant is evicted, shall guard the tenant from coercion and the landlord from fraud." That is the plan of the right hon. Gentleman; and now upon it I put to him a single question:—Suppose the landlord, using his powers of free contract,

agrees with his tenant that he shall not upon eviction go before a Judge—I want to know what, in that case, and subject to that single test, will become of the measure of the right hon. Gentleman? Such a covenant would of itself reduce his Bill to nullity.

But, Sir, it is a much more agreeable office to acknowledge, and I do it with frankness, that the speech of the right hon. Gentleman has not in its spirit differed from the general tone of this debate. Indeed, the first obligation now incumbent upon me is to express the high and peculiar satisfaction with which I have listened to very many of the speeches delivered in the course of this discussion, among which I will venture to mention, if I may do so with proper respect, the speech of the hon. Member for Carlow (Mr. Kavanagh), upon the opposite side of the House, and from a different political quarter, the speeches of my hon. friends the Member for Tralee (The O'Donoghue), the Member for Kildare (Mr. Cogan), and others, including some Members who have not on most other occasions found it within their power to give a firm support to the Government; nay, rather to those generally, without invidious distinction, who have taken part in this debate, do I respectfully tender, on the part of the Government, this acknowledgment, that although many, undoubtedly, may have disclosed in the course of the discussion the germs of what may become to be serious difficulties when we arrive at the Committee, there has been hardly a speaker of whom I could venture to question that he has looked upon this measure with a sincere desire to accept it as far as his conscientious convictions would admit, and that up to the limit thus fixed all have sought to smooth the difficulties that intercept the adjustment of this great and vital question. I never have undervalued, and I do not now undervalue, the serious character of these obstacles; it is only by patient consideration that they can, one by one, be overcome. It is enough for me to say that we now see before us the path of this Bill, clear and straight, at least so far as into the Committee; and that for such an amount of progress, achieved as it will be with the general, I would almost venture to say with the unanimous, assent of the House,

it is our pleasure as well as our duty to tender our sincere acknowledgments.

Having thus discharged a duty of gratitude, I must also venture to express my satisfaction on a ground somewhat narrower. We are well pleased, as authors of the Bill, to find that a measure such as this, which I admit to be a complex one, after being subjected for four nights to the acute and searching, though by no means unfriendly, criticism of the most competent men in this great assembly, has so well borne the ordeal through which it has passed.

Still, Sir, I do not deny that on certain points an impression has been made on the mind of the Government with regard to some few provisions of the Bill. I will not on this occasion attempt to enter into minute or full explanations upon each clause of the measure, but I will pass with great rapidity over all except those which touch the most vital portions of it. And in the first place, the admissions I shall make are as follows. The clause with respect to subletting cottages and gardens to labourers will undoubtedly require further and careful modification, in a sense possibly both of restriction and of development. Yet, I should be extremely sorry to part with that clause, and I do not anticipate that it can be necessary. The clause with respect to the leasing power of the landlord, which is to set aside the liability to damages for eviction, has been criticized by many of the representatives of popular sentiments in Ireland, and I am free to admit that I can see particulars in which that part of the plan might be justly amended. The provision that county cess on tenements not exceeding 4*l*. valuation should pass immediately to form part of the liabilities of landlords I think has been attacked upon grounds which must lead to its reconsideration. Further, Sir, there is a point of greater importance—a difficulty with regard to which I hope we may be able to effect an improvement in the Bill; and that is with respect to the mode in which, as the language of the third clause now stands, the two elements of damages for eviction and payment for improvements are mingled together. We have associated them for an object which I think will be appreciated. We were governed in attempting that association by the belief that, as regards the

smaller class of tenements, there was much of the produce of the labour of the occupier which might very fairly be considered as improvement in relation to his claim to compensation, and yet which it might be difficult to sustain in that character as improvement from the landlord's point of view before an arbitrator or a judge. We shall, perhaps, make an endeavour, without in any degree foregoing our object, to effect a more distinct severance between the two elements of payment for improvements and compensation for loss influenced by eviction. Again, I will not deny it is quite possible that it may be fit, with respect to those provisions of the Bill which relate to loans of the public money for the purpose of promoting purchases or the reclamation of waste lands, to accompany them with particulars that may mark their exceptional and experimental character, and not leave it to be supposed that they are intended to become part of our permanent and universal legislation. Once more, Sir, the subject of the law of distress has been introduced into this debate; and, without being prepared to make any special or particular admission, I may state that I think it possible that in some respects it may be right to consider the present provisions of that law in Ireland, in their bearing on certain clauses of this Bill, with a view to its modification. Lastly, I do not at all question that the wording of some of our clauses, and especially of the clause which relates to the Ulster tenant-right, may be profitably made the subject of further review; but from the substance of that Ulster clause I must own that the debate to which I have listened has not inspired me with the slightest desire or disposition to depart.

Making these admissions, I will now refer to the weightier objections which I am not prepared to admit, and to offer some slight comments on the more prominent arguments which have been made against essential features of the Bill in the course of the debate.

The right hon. Gentleman the Member for Oxfordshire appears to me to be too hasty in his inference from the anxiety of Irish occupiers to retain possession of their holdings. The right hon. Gentleman says, this anxiety is to be taken

as in itself affording a clear proof that the terms of their holdings such as they now exist are profitable to them. I am not able to make that unqualified admission. The holdings may be rented under such circumstances, that they would be profitable and satisfactory, and that the rents of them could be easily paid, provided they were attended with security of tenure, but at the same time it may be perfectly possible that while the tenure is insecure, the holding may be very far indeed from satisfactory, and yet the tenant may be well and reasonably inspired with an intense desire to retain it; first, because he hopes the wisdom of the Legislature will invest it with that quality of stability which now it wants; and secondly—and this is by no means a small consideration—because he knows himself, as a rule (and no one expressed the fact with greater terseness than the hon. Member for Carlow), to be without other means of livelihood.

With regard to Ireland, and the different reports we hear as to what goes on there, I am reminded of an illustration which may be drawn from the ‘Odyssey’ of Homer. We find in that poem traces of two legends—the one that there is a distant country in which there prevails perpetual day, and another, perfectly distinct, that there is another distant country in which there prevails perpetual night. Now, anybody, becoming acquainted with these two legends, would at first sight infer that they belonged not to the same, but to different originals. But we know very well that they cannot but belong to the same original, and that both are drawn with equal truth from the same portion of the globe, which has perpetual day and perpetual night, but has the one and the other at different times of the year. So it is with Ireland; the diversity of its circumstances, as affected by the characters of men and the usages of districts, is such that, dangerous as in all cases hasty generalization must be found, perhaps there is no case in which it is so utterly fatal to a just conclusion on the general merits of the subject, as when it is hazarded on a question relating to the state of Ireland.

Judge Longfield, who has written on this subject with so much ability, force, and knowledge, says, and I think with truth, that he may put the following dilemma. The compe-

tition value of land in Ireland is too high, because there is an excess of demand over supply. If the land is held at the competition value, which however in ordinary circumstances is the desirable and proper, and the only proper, test, then the holding cannot under the circumstances of Ireland be satisfactory. If, on the contrary, it is held below the competition value, as frequently happens in Ireland, then again it cannot be satisfactory, because it is not secure, and a man can never know at what period he may be displaced from his occupation by some higher bidder.

It is said by the right hon. and learned Gentleman the Member for the University of Dublin, that this Bill is to be complained of for the variance of its principles from English laws and customs; but I must confess I was somewhat astonished when I heard the right hon. Gentleman refer in terms of commendation to the recent English legislation with regard to copyholders. His suggestion upon that point appears to me to be one of the most revolutionary I ever heard made in relation to Irish land, because if the English example with regard to its legislation in respect to copyhold has any reference to Ireland, it means nothing but the expropriation of the landlord. And it is not a little singular that this should be the special point on which the right hon. Gentleman finds fault with us for departing from the provisions of English law. Sir, what we have done is this; not to consider as a primary rule an exact similarity between the legislation for England and Ireland, but to consider what the circumstances of Ireland demand, and then to apply the same principles of equity to the true circumstances of the case of the two countries.

Again, Sir, it is said that this Bill will encourage litigation; and to that charge the general answer has been given, that the establishment of a system of rights implies possible litigation, if those rights are to be guarded by the sanction of law. But, surely, the objection is one which cannot be very strongly felt on the benches opposite, because the right hon. Gentleman who has just spoken throws everything, according to his plan, into the hands of the Judge. And further, my right hon. friend the Member for North Lancashire,



although I do not know that he individually took any objection to the Bill on the ground that it would lead to too great an amount of litigation, was certainly inclined himself to make a very handsome contribution to the stock, because he proposed that independently of all the remaining provisions of the Bill, the parties should be allowed to make any contract whatsoever between themselves, provided it was made subject to discussion and settlement before the Judge.

Again, Sir, the right hon. Gentleman who spoke last objects very strongly to the Bill with reference to the case of the proprietors, who came into possession under the "Encumbered Estates Act;" and he thinks it absolutely necessary that separate compensation should be provided for those proprietors. I must, however, with all respect, say that I think some confusion has crept into the mind of the right hon. Gentleman in connexion with this part of the subject. The right hon. Gentleman seems to suppose that, quite apart from the question of indefeasible title and the release from incumbrances, the purchaser under the Encumbered Estates Act takes something different in its nature from that which appertains to other proprietors in Ireland. Who gave it to him? Who had any right to give it to him? The purchasers under the Encumbered Estates Act provide for the liquidation of encumbrances—that is to say, they have been paid off out of the price of the estate,—and Parliament declares their titles to be indefeasible; but Parliament has done nothing whatsoever except this for them, and has given nothing to them except what belonged to those from whom they bought, and what now belongs to every other proprietor in Ireland. I defy any one to produce an argument in favour of the claims of the purchaser under the Landed Estates Act, which will not end in the adoption of a measure of compensation for all classes of proprietors.

The right hon. Gentleman the Member for the County of Oxford is one to whose exercise of the faculty of criticism I always listen with great interest and attention, because I find there are generally to be gathered from his speeches some of what I may call the stiffest objections which can be taken to a measure. On the present occasion I have

heard him with great satisfaction. He took his main, or one of his main objections to the third clause—the clause which gives damages for eviction—on the ground that it tells against the good landlord and lets off the bad. Now, not only is that not the fact, but it is the very reverse of the fact. For example: By the good landlord is meant the man who lets his land at a moderate rent, and by the bad landlord a man who lets it at a rent which is unduly high. Under the clause itself, the amount of compensation which is to be given is to consist of so many years' rent. This simple fact shews that the landlord will pay highly on eviction in proportion as the rent is high. But, moreover, the right hon. Gentleman has forgotten to take into consideration the operation of the Equity clause. A tenant may say, I lost so much because my rent was low; and *primâ facie* his case is good. But the landlord may urge in reply that it was reasonable to pay a fair and not a low rent, and may ask the Judge, taking into consideration the circumstances of the case, to disallow the scale of damages which the third clause contemplates. The refusal to pay a fair increase of rent would undoubtedly be unreasonable conduct under the Bill, and could not fail to operate in diminution, if not in total disallowance, of the damages payable for eviction.

It is also contended by the right hon. Gentleman that the scale of damages for eviction is too high, and that it amounts to two-thirds of the fee-simple; whilst my hon. friend the Member for Cork maintains that it is too low. Now, I do not think it is necessary I should stop to enter into that discussion. The right hon. Gentleman the Member for Dublin University pointed out truly that seven years' rent may be granted as a compensation under that scale, and that in the present circumstances of Ireland seven years might be regarded in a large portion of that country as one-third of the value of the fee-simple. There would therefore, *primâ facie*, be an abstraction of no small part of property from the landlord. Now, this I will urge in the first instance, that 20 or 21 years' purchase is a miserable representation of the value of land, and that the prevalence of so low a scale is in itself the sorest proof of a disordered and unhealthy state of things.

I shall not at this moment assume this Bill to be a good and sufficient measure, but I venture to say that if Parliament can pass a good measure for the settlement of the land question in Ireland, by the establishment of practical security of tenure, it is no excessive but a moderate estimate of the result of such a measure, to suppose that these seven years' rent, about which we have heard so much to-night, would not, when payable, be carved out of the present interest of the landlord, but may be well added to the value of the land in regard to the increased security of tenure which any good measure must bring with it, and as a consequence of that development of agriculture in the country which the right hon. Gentleman who has just sat down contends is not one of the objects of the Bill, but which I can assure him, so far as the views and intentions of the Government are concerned, is one of its paramount objects. I come now to the Ulster custom.

That is a subject on which we have been assailed from both sides. When I use the word "assailed," I mean merely in the sense of fair criticism. What, then, is said of the Ulster custom, apart from any question of greater or less perfection in the wording of the clause which we have presented? It is said that the custom ought to be defined; that it ought to be extended throughout Ireland; that it ought not to be stereotyped and made perpetual; and lastly, it is said by some that it ought to be discountenanced.

With a view to its restraint or extinction, heavy censure has been pronounced upon the Ulster custom from the other side, and great authorities have been quoted as being severely condemnatory of that custom. Now, in the first place, with regard to the definition of the Ulster custom, it is impossible to define it without altering it. It wears a variety of forms. These forms are all variations based upon one common model; they are all of them so many modifications of one substantial right; and that is, the right of the tenant to dispose of his occupation. But the modifications are various. Are we to define each of these modifications, and to say that under one or the other of these the judgment of the Court in each case must fail? Why, it would be absolutely impossible; whereas, on the other hand, if we are to attempt a single definition,

that must be a definition of the principle without any modifications at all. Consequently we should attempt to apply throughout Ulster, in a uniform shape, that which now materially varies, and while aiming to do justice and secure to every man in a firmer manner what he now actually enjoys, we should, on the contrary, take from some persons a great deal which they now possess, and give to many persons a great deal which they do not now possess at all.

It is said, on the other hand, that the Ulster custom ought to be extended throughout Ireland; and we have been told, though I am glad to see, as between our adversaries in argument, a contradiction which diminishes the weight of their authority, that we treat the Ulster tenant better than tenants in the rest of Ireland, and also that we treat him worse than tenants in the rest of Ireland. Now, our desire is to treat him neither better nor worse than if he were found elsewhere in Ireland. But in one sense we may be said to treat him worse, because we only seek, as a general rule, to secure to the Ulster tenant that which by custom, where it is fairly observed, he now possesses, whereas with respect to the rest of Ireland, or great part of the rest of Ireland, we are endeavouring to secure for it in one shape that which we freely admit it does not now possess at all.

Now, Sir, the ground of our proposed legislation as to the Ulster custom ought to be well understood. The right hon. Gentleman is not open to one of the observations I am now about to make, because he would pass the custom by altogether; but I venture to give the opinion that legislation upon the Irish land question, simply passing by the Ulster custom and saying nothing about it, but attempting to leave it as it is, would not be possible; that is wholly beyond the power either of the right hon. Gentleman or of any other man. As to the particular form of legislation which we propose, the ground we take is this. The Ulster tenants have made a large investment of money. It is variously estimated, but is stated, without any proof or strong presumption of exaggeration, to amount to 20,000,000*l*. That 20,000,000*l*. has not had all the protection which we hold that it ought to have. We contend that the tenants have made this investment, in

a rule, with the knowledge and consent of their landlords, and that, having been made with that knowledge and consent, it amounts to a covenant between the parties. It is not a contract recognised by the Courts; we think it ought to be recognized by the Courts. It appears to us that in England it would have been recognized by the Courts; at any rate that, according to the principles of justice, it ought to be so recognised. But let it be understood that our legislation for securing and defining the Ulster custom is not legislation of a theoretical or speculative kind; it simply gives the just defence of law to rights, which we conceive are now secured by honourable covenant, and the further protection of which the Ulster tenant is entitled in equity to demand.

The proposition that a virtual covenant exists, true with respect to Ulster, is not true with respect to the rest of Ireland, except in rare cases. It will be admitted that the cases are exceptional in which, unless in Ulster, an incoming tenant pays a sum to the outgoing tenant with the consent of his landlord. In many cases he pays it without his consent, in many without his knowledge. The cases in which he pays it with his consent are comparatively rare. Have we left those cases unprovided for? On the contrary, when cases like these, which, we admit, approximate in substance to the Ulster custom, occur in other parts of Ireland, we bring them under the sixth clause of the Bill, which implies that the landlord ought in such cases to allow the outgoing tenant to dispose of his interest like the Ulster tenant; and if the landlord is unwilling to grant this liberty, we allow the outgoing tenant to go before the Court and claim a payment from the landlord himself in respect to the money which he had had to pay upon entering upon the farm. I must, therefore, wait to see in what manner any gentleman who hears me will be able to point out any closer mode of applying out of Ulster the same principle as we apply in Ulster, the broad difference being this, that, whereas in Ulster the custom prevails throughout large districts, and may fairly be called the custom of the country, out of Ulster it is not the custom of the country; it is rather to be traced in small and separate rivulets on particular estates,

possibly here and there in some limited district or neighbourhood. It is, accordingly, as with separate cases that we deal with them, but it is also in a manner which substantially corresponds with the legislation we propose with regard to the Ulster system.

Again, Sir, it is said that the Ulster custom is a bad custom, that it ought to be discountenanced, and that we ought not to stereotype it. In the first place, I deny that we stereotype the custom, or cast it into any rigid form. I think the right hon. Gentleman the Member for the University of Oxford fails to comprehend with accuracy the effect of the legislation proposed. The Ulster custom does not enable the outgoing tenant to demand any particular sum, small or great. If the landlord allows the outgoing tenant to dispose of his interest, the Ulster custom is satisfied; if he does not allow him to do so, the Ulster custom is not satisfied. The right hon. Gentleman who has just sat down, almost repeating the language of my hon. friend the Member for Kilkenny, says that our legislation with regard to the Ulster custom legalises the private arrangements on every estate in the North. The hon. Member for Kilkenny gave us a lively illustration of a particular estate on which a rule has been made that any destruction of game involves the loss of the tenancy; and he said if there was such a rule on an estate in Ulster it would, under the Bill, entail the loss of the tenancy. The case was that of a man who had killed a hare with a stone, and by that act, under the rules of the estate, the tenancy became void. This might follow from a private arrangement on an estate, and there is an estate in Ulster that has been the subject of painful, though just, remark in discussion here and elsewhere, on which it may be that rules something like that may have been laid down. But there cannot be a greater, a more fundamental misconception of the whole matter. The Ulster custom is not a private rule that each man chooses at any time to establish. A breach of custom is not a custom. An established custom is a thing well understood as such, and perfectly capable of receiving a legal meaning and interpretation when it is investigated, in each case respectively, as a matter of fact.

Wherever a particular proprietor or an agent chooses to set up a rule which, though it be enforced on the estate, is in derogation of custom, and which has not itself subsisted so long and under such conditions as to acquire the character of a custom, it will be condemned by a judge as a private and arbitrary practice. But the Ulster custom, while it is recognised, is not stereotyped by the Bill. As I have said, it does not consist on a right to demand any particular sum of money. A man may give 20 years' purchase in Ulster for his holding. If it so happens from any course of circumstances that the value of that tenant-right declines in the market to 15 or 10 years' purchase, the Ulster tenant has no remedy; he has bought something in the market, and, like other purchasers, he must take his chance when he has occasion to sell it again. The custom does not guarantee the replacement of his money, nor does the Bill. What he is entitled to by the custom, speaking generally and apart from particular modifications, is to get for the interest which he has purchased or otherwise acquired what the market will yield. Instead of stereotyping the particular sums which may be paid, all that could be done by the clause would be to say that, subject to variations in the particular usages of the country, he should obtain that which the open market would yield him for the interest with which he was about to part.

And now, Sir, I must say a word for the Ulster custom itself, after all that has been said against it. It is supposed by some—I am bound to say, much to their credit, it does not appear to be supposed or urged by the landlords of Ulster generally—that the money paid in Ulster for the tenant-right is carved out of the landlord's interest in the property, that is, out of the landlord's estate. From those who think so, I should like to know what Ulster would be now, at this moment, without the custom. A passage quoted by my right hon. friend from the evidence of one of the witnesses before the last Committee as to the effect that would be produced in Ulster by any legislative attempt at the overthrow of this custom, may show that, although it is not abstractedly, as I admit, the best system that can be conceived, yet, relatively to all the circumstances under which it

has prevailed and relatively to those conditions and practices of tenure which prevail elsewhere in Ireland, it is idle and futile, or even something worse, to deny it the credit to which it is entitled,—this credit, namely, that it has given satisfaction to the occupier, it has secured the peace of the district, and it has not diminished, but, relatively to other parts of Ireland, it has promoted the prosperity of the landlord as measured by the increase of his rent. Without attempting, then, to give to the custom in itself a force of expansion it does not now possess, I think it is our duty to secure the observance of it within the limits in which it now prevails.

I now approach the broadest of all the questions connected with the character of this Bill. My hon. friend the Member for Kilkenny seems to think that we ought to give one law to all Ireland, and complains that by the Bill we give four laws to Ireland. We distinctly decline to admit that we should be giving one law in substance to Ireland, though we might give her an apparent uniformity, if we were to provide the same legislation and the same compensation for men who have paid nothing at all, when they took their holdings, as we provide for those who have invested large sums of money in taking them; and upon that subject we cannot be too explicitly understood by the hon. Member. But this is a Bill, as I ventured to describe it upon its introduction, which aims not at giving perpetuity of tenure or fixity of tenure, nor at giving anything which, however different in sound, would in sense and substance be found to correspond with those modes of agricultural occupancy. It is a Bill for giving stability of tenure, and for imparting a sense of security to the mind of the occupier of the soil, so that he may pursue his honourable avocation in peace, in confidence, and in safety. We may, therefore, Sir, say to the Irish peasant—and if he is as fond of classical studies now as it is said he used to be, he will understand us—we may say to him that which was said to the provincial occupier of North Italy in the time of Augustus—we may say to him while he is struggling with the stones upon the hill and with the logs in the valley,—



“ *Ergo tua rura manebunt :  
Et tibi magna satis : quamvis lapis omnia nudus,  
Limosoque palus obducat pascua junco.*”

And, so regarding his condition, the aim of this Bill is to secure him in that condition, yet to secure him, not by giving him a property in the soil, but through attaching such conditions to the act by means of which alone the landlord can remove him that that act shall become both difficult and costly ; difficult and costly to such a degree that, humanly speaking, we may be confident it never will be resorted to except for good reason. I wish to borrow for one moment the admirable language of my hon. friend the Member for Tralee (The O'Donoghue), who said that under this Bill it will be next to impossible for the landlord to evict the tenant except for reasons which every man capable of discriminating between right and wrong will own to be sufficient.

Now, Sir, that is the object we have in view. And I divide the difficulties that beset our path of legislation in regard to land in Ireland into two classes. In the one class I place all those objections which meet us in this House, and which are supported and sustained in argument, and of those I have endeavoured on this occasion to take brief, summary, and imperfect notice, so as in some degree to indicate to the House that we are prepared to redeem our pledge of giving fair consideration to amendments in committee on the Bill, in whosoever interests they may seem to be dictated and conceived, with the view of bringing the measure as nearly as we can to a state of perfection. But, Sir, there are other arguments by far more powerful, not in their force of reason, but in their power of acting upon the popular mind—arguments which scarcely show a front in this House ; for although three or four times in the course of this debate we may have heard the mere expression “fixity of tenure,” I ask the House whether, during these four nights, in this great arena of reason and discussion, any argument whatever has been made by any English, Scotch, or Irish representative to show that fixity of tenure, to be applied as a means of securing justice and peace in Ireland, can for a moment abide its trial at the bar of an impartial judgment. Sir, I wish to record

that fact as a great and an important fact; because in this House, where unlimited freedom of speech has prevailed, and I trust ever will prevail, and where there are men, aye scores of men, sent to us from Ireland, who certainly would never fail—as they have often proved—either in courage or in ability to urge the most unpopular considerations which they believe to be right in the interest of their country, it is, though a negative, yet a most material and most vital fact that the principle of fixity of tenure has remained during four nights of debate on the second reading of a Bill on land tenure in Ireland wholly unsustained by the slightest attempt at reasoning.

Well, Sir, but there is another phrase to which I wish to call the attention of the House, a phrase which perhaps bears with another sound a kindred sense. I own that I am sanguine enough to believe—though I may be wrong—that with regard to nearly the whole of the arguments which have been advanced by hon. Gentlemen opposite, we shall be able in a great degree to reconcile them to our views, or, where we cannot, that we shall be able, by the prevailing judgment of the House, to give effect, notwithstanding, to the convictions that we entertain, and that we have explained in this Bill. But questions much broader than the differences between the speeches that have been made on the other side of the House, and those that have been made on this side are involved in the controversies which have been agitated in Ireland. And permit me, Sir, respectfully to say in passing—although I will not enter in detail upon that question—that I am not aware that any member of the present Government is, by any expression which he has used during this controversy, in the slightest degree open to the remark that he has been responsible for inflaming these Irish controversies, and exciting the extravagant expectations that appear to have gone abroad. If any proof or reference is given to show that I am wrong, we shall be ready becomingly, but firmly, to defend ourselves. I pass by the question now to consider that which is more important,—

Mr. CONNOLLY.—The right hon. Member for Birmingham.

Mr. GLADSTONE.—I am not prepared to admit that my

right hon. friend the Member for Birmingham is open to this censure. He is not here to defend himself. I am quite sure the hon. Gentleman opposite wishes he were.

Mr. CONNOLLY.—Certainly.

Mr. GLADSTONE.—But so far as I have been cognisant of the language of my right hon. friend the Member for Birmingham, and that is from his speeches which have been delivered in this House, I have always heard him say, with the most scrupulous care, that any measure he would propose in reference to the land in Ireland would be based on the principle of a most sacred respect for the rights of property. But when we come to consider what is going on in Ireland I must ask the House to give a moment's attention to the nature of the demands that we have to meet, and, if they are not represented in this House in argument, that circumstance does not make them the less, but rather the more, formidable. We must use our best endeavours from within these walls to make reason reach the ears and the minds of the Irish people. Perpetuity of tenure is a phrase that I flatter myself is a little going out of fashion. If I have contributed anything towards disparaging it I am not sorry. But another doctrine is advocated which I wish the House to consider, because I confess that to me it presents but too much the character of the old friend with a new face. It is the doctrine which is sometimes presented as a plan for fair rents, and sometimes called valuation of rents. Now, not even of that have we heard a great deal during the debate. But a description was lodged in my hands not long ago by an important deputation, which desired that any Bill to be passed by Parliament should recognize for the tenant these things:

“A right to continued occupation, subject to the payment of the rent to which he is liable, or to such change of rent as shall be afterwards settled from time to time by fair valuation as hereinafter provided; and the right to sell his interest to any sort of tenant to whom the landlord cannot make reasonable objection.”

What is this fair valuation of rents? In my opinion the

question as to the greater or less amount, or the particular adjustment of the scale in the third clause, of damages for eviction, is a question that admits of being treated as one of degree. If the scale is too high, reduce it; if it is too low, raise it. If it is clumsily and ill-constructed, give it a better and a nicer adjustment. But our main contention is that the great remedy which, apart from custom, ought to be provided for the Irish occupier, should be provided for him in the shape of a shelter against eviction, of a penalty (if I may so call it) upon eviction, but not by provisions which should aim at giving him a joint property in the soil. When he has paid his money—with the consent, or with the presumable consent, of his landlord—that gives him such property, inconvenient as it may be, he is entitled to be protected; but I am not prepared, nor are my colleagues prepared, to admit that the just protection of the tenant, which is a legitimate object of the care of Parliament, affords either an apology or a reason for endowing him with a joint property in the soil.

Now, the claims (to which it is my duty to object) which are made on behalf of what I may call the popular party in Ireland, are two. In the first place, it is said that there ought to be a power to reduce excessive rents. Sir, with much reluctance, but from a sense of the clear right as well as the necessity of the case, we have introduced into the Bill an exceptional power, not to reduce excessive rents prospectively, nor yet by a direct process to reduce them at all, but to make allowance on the occasion of eviction, from any tenancy now subsisting, for non-payment arising out of excessive rent. We have introduced that provision from a sense of its necessity, and purely as a partial, occasional, and temporary measure, required to complete the rectification of the present mischievous and irregular state of things. But it is further proposed that we should establish permanently and positively a power in the hands of the State to reduce excessive rents. I should like to hear a careful argument in support of that plan. I wish at all events to retain at all times so much of a judicial habit of mind as not to condemn a thing utterly until I have heard what is to be said for it;

but I own I have not heard, I do not know, and I cannot conceive, what is to be said for the prospective power to reduce excessive rents that ought to outweigh the seemingly conclusive arguments against it. In whose interest is it asked? Certainly not in the interest of the landlord. Is it asked in the interest of the tenant? Shall I really be told that it is for the interest of the Irish tenant bidding for a farm that the law should say to him, "Cast aside all providence and forethought; go into the competition and bid what you like; drive out of the field the prudent man who means to fulfil his engagement; fly high above him and induce the landlord to give you the farm, and the moment you have got it, or whenever you find it convenient, come forward, appear before the public authority, show that the rent is excessive and that you cannot pay it, and so get released." If I could conceive a plan, first of all, for throwing into confusion the whole agricultural arrangements of the country; secondly, for driving out of the field all solvent and honest men who might be bidders for farms, and might desire to carry on in a fitting manner the honourable business of agriculture; thirdly, for carrying widespread demoralization throughout the whole mass of the Irish people, I must say, as at present advised—to confine myself to the present, and until I am otherwise convinced—it is this plan, and this demand, that we should embody in our Bill as a part of permanent legislation; a provision by which men shall be told that there shall be an authority always existing, ready to release them from the contracts they have deliberately made.

This is one of the demands to which I recently referred as truly formidable: the other demand is for a public valuation of rents; and I beg the House to consider what is meant by the valuation of rents. I have heard from my hon. friend the Member for Galway—speaking in the character of an Irish landlord, which he so well sustains—some expressions shewing that he looks with no disfavour on valuation of rents. Well, I at once make this admission; that if the Irish landlords, if any particular landlord thinks it desirable to have his rents fixed by public authority—I will not say it is desirable on public grounds, nor that it may be done, but

I will say so much as this that it opens a new aspect of the case, and a field of discussion on which I will not now enter. However, what I do wish is, in the first place, that there should be a clear manifestation of the views of the Government, and secondly, I hope also of the House, that we are not ready to accede to a principle of compulsory legislation, by which the State shall take into its own hands the valuation of rents throughout Ireland. I say take into its own hands, because it is perfectly immaterial whether the thing shall be done by State officers forming part of the Civil Service, or by an arbitrator, acting under State authority, or by any other person invested by the law with powers to determine on what terms, as to rent, every holding in Ireland shall be held. And, first, I hold that if we are to value rents, we must take into our own hands the fixing of every other condition of an agricultural holding, because otherwise in vain do we fix the rent. For suppose we have fixed the rent. The landlord thinks it too small, and having imposed some onerous condition, he then says to the tenant, "I will relax the conditions, if you will add to the rent." The result, of a certainty almost mathematical, is that if you undertake to fix the valuation of rents by public authority you must likewise undertake to fix the whole conditions of every agricultural holding. There is no escape from that conclusion.

Well, then, are we prepared to undertake this office? We say, by the Bill as it now stands, "Give shelter to the tenant from loss by eviction, and make that shelter effectual." This doctrine says, "Give over to the present tenant a great, a permanent, nay, as I think it would be, a permanent legal interest in the land." My proposition is that if you value rents, you may as well for every available purpose adopt perpetuity of tenure at once. It is perpetuity of tenure, only clothed in a certain disguise. It is the first link in the chain, but it draws after it the last. Now look for a moment at its practical difficulty. We are to value these rents. What an army of public officers are we to send abroad to determine from year to year the conditions of the 600,000 holdings in Ireland, conditions which are settled with comparative ease when settled by the elastic action of private intercourse,

but conditions the fixing of which beforehand by a public authority would be attended with tenfold difficulty and labour. But here I may be told that, by the Bill, in a certain case we refer the fixing of these conditions to a public authority. I answer no; that is a mistake. There is no compulsory reference of the conditions of any holding in Ireland to any public authority. We have said to the landlord, "If you wish to escape from the provisions of the Bill with respect to damages for eviction, you may of your own free will go before a public authority for that sole occasion and for no other." And that would be once for all: every subsequent lease, such as described by the Act, would be free. But that option given by the Bill is a totally different matter, as the hon. Gentleman who cheered will admit, from a compulsory provision that all persons shall be carried before a public authority for the purpose of fixing the conditions of contract between landlord and tenant.

But, again, I wish to ask, how are these rents to be valued? What is the test? The prices of produce? Of what produce? Of one kind of produce, or of all kinds? Can any man fix by law any system upon which it will be possible to adjust rents by calculations founded upon prices of agricultural produce of all kinds? Perhaps you will say, "What was done in the case of commutation of tithes?" I will tell you what was done. It was a very rough process indeed, and it was a process to which the tithe commutators submitted, but to which, you may rely on it, no more powerful class in this country will ever submit. Besides, the cases differ essentially in this: the tithe of agistment was gone, the right of the tithe commutator only subsisted in produce of certain kinds, and moreover it was not very difficult to get at the prices of these kinds of produce. The prices of grain have always been made matters of record, and it was on the prices of grain that the tithe was held mainly to depend. This is not so with the landlord. The landlord's interest is not restricted to wheat, barley, and oats, but extends to all the varied descriptions of produce. There are no records of the prices. It would be found extremely difficult, if not impossible, to devise trustworthy records of the prices. They

are sold in every possible way, and under every possible circumstance. It is impossible to bind them together so as to found upon them a compensation which you can make the basis of these enormous and complicated arrangements. Again, how is the landlord's rent to vary? Is it to vary according to the prices of produce exclusively?—because that is the proposal that we have commonly seen. Not only is it impossible, in my opinion, to get the prices of produce so as to found the rent upon them by a public authority; not only, if we could get them, would it be absolutely impossible to apply a standard conformable to the varying circumstances of each particular holding, and its capacity to produce this or that kind of produce; but, further, what are we to say with regard to the quantity of produce? Supposing the quantity of produce is doubled, is the landlord to receive the same price for the increased quantity, or is he not? If he is to receive as rent the same price charged upon the increased quantity, will the tenant be satisfied with his inducement to increase the quantity? But if the quantity is to remain the same, for the purposes of the rent, by what right do we cut off the whole of the landlord's interest in the prospective increase in the quantity of produce to be obtained from his land? The quantity of the produce may be increased by the cheap access of manures by railway, by improvements in machinery, and by many other causes; and none of these can you justify giving over bodily to the tenant to the exclusion of the landlord, unless upon the assumption of that one principle which is vitally involved in perpetuity of tenure,—namely, that the elastic and undefined interest, which is the paramount interest, in the soil is to be transferred from the owner to the occupier, and that the landowner is to become a tithe commutator, only upon a larger scale. Sir, if I state these things, it is that I may invite, nay provoke, confutation. I disbelieve in the possibility of a satisfactory reply to these arguments; but, at the same time, I think that it would be well that the attention of those who have stated all along that the Irish people will be perfectly satisfied with continued occupancy, subject to a valued rent, should really consider what is the meaning and scope and extent of the terms in which they couch their demands.



Sir, we have a social system established in this country under which two persons have a vital interest in the land. One of them is the landlord, who regards the estate as a whole, and who is very largely concerned in the development of its general and permanent prosperity; the other is the tenant, whose position it is desirable to simplify as much as possible, in order that he may be able to devote the whole of his resources and his capital, if he think fit, to the prosecution of his trade. But if you once adopt this principle to which I am referring, you cannot retain these two classes upon the land. The man who becomes a mere annuitant loses all general interest in its prosperity. They have now, both of them, abundant reason to be there. Under the system which is contemplated, one of them may have abundant reason to be there, but the other will not. We are called upon, therefore, to begin this rectification of land tenures in Ireland with a plan which, if it be good at all, is good not for Ireland only, but for the whole of the three kingdoms, and which certainly amounts—I do not wish to describe it in language of exaggerated hope—to, perhaps, a peaceful, but yet a very searching and complete social revolution. I own that I do not, for myself, see any advantage in our rejecting the plan of Mr. Mill, which told out plainly and distinctly, and at once, the whole of its purposes and results, and amounted, in so many words, to an expropriation of the proprietors with full compensation—I do not see any advantage in our rejecting that plan, if we are to adopt some other, which, although couched in other language, and perhaps contemplating certain stages by way of pause in the process, with something like an agony of procrastination, is notwithstanding certainly and inevitably to end in the same conclusion.

Now, Sir, I will ask leave to say one word, before closing, to my hon. friend who has moved that this Bill be read a second time this day six months, and to those who may be disposed to support him. The situation in which we stand is acknowledged to be one of very great gravity. We, as the advisers of the Crown, have offered to Parliament a Bill, the principle of which is about to receive, but for them, an

unanimous approval; and it is allowed to be a measure which offers certain boons to the Irish occupier. Are these inconsiderable boons? What will be the condition, after this Bill is passed, of the occupier of the soil in Ireland as compared with what it is now? What will it be as compared with the condition of the occupier of the soil in England or Scotland? The customary privileges, which at present he enjoys by a frail and precarious tenure, will be secured to him by law; and even the shortest form of holding will be sheltered and protected by a fine on causeless eviction that may amount—and in many instances probably would amount, if such eviction is to be supposed—to one-third part of the fee-simple value of the estate. We hear it said sometimes that this is no check at all; that plenty of persons will be ready to come forward and pay six or seven years' rent in order to obtain the possession and privileges of an agricultural holding. My answer is, Why do not they pay it now? Some one man is now in possession of the holding, which some other man is supposed to desire. All tenants are not evicted, in order to obtain better rents, even now when it can be done without cost. We do not expose the occupier to any new danger; but between him and the danger of eviction we place a bulwark of protection consisting in a number of years' rent payable by the landlord.

And now, Sir, let me ask what will be the case of the Irish occupier if this Bill is rejected? because that will be the result, as far as my hon. friends are concerned, for their vote would prevent it from finding its way into committee. What demand, then, are they making on behalf of the occupiers of Ireland? In what position do they seek to place them as compared with the position which gives contentment to those who are among the most free as well as most high-minded people in the world, the agricultural part of the population in England and in Scotland? Are we proposing by this Act to place the Irish occupier in a position of inferiority to his brethren in the other parts of the United Kingdom? Are we not going, on the contrary, to invest him with peculiar privilege and immunity? You may say that the proposal is insufficient. That may be so, according

to your view ; but I ask whether you will, in the name of Ireland, take upon you the responsibility of rejecting outright and without examination in detail what, upon the occasion of the second reading of this Bill, is offered to you by an unanimous Parliament? Thus much at any rate you have it in your power now to secure, if we look at the Bill as it is, and undoubtedly I trust that it will not pass in any form less favourable to the people of Ireland than that in which it now stands. You have the power, then, in your own hands of securing for the occupier of the soil in Ireland that which the occupier of the soil in England or in Scotland never dreams of possessing, and for which he has never thought of making application. Sir, this is indeed a grave matter, and I trust my hon. friends will pause in the course they have adopted. I declare to them, without the smallest imputation upon their sincerity, that I cannot bring myself to believe, if it were possible that the phalanx they command could be swelled into a majority of the House, that they would not themselves be the first to regret with bitterness—and would not carry that regret to the very latest day of their lives—the result which their own exertions had brought about. The questions they should ask themselves on this occasion are few, but they are great and serious. They are raising the flag of resistance upon this question ; they are holding up a signal to the Irish people and inviting them to follow? Will the Irish people follow such a disastrous invitation? I believe not. I hold, again borrowing words from my hon. friend the Member for Tralee, that each successive act of justice develops feelings of content and loyalty and narrows the circle of disaffection. I know your difficulties may be great ; but they are not yours alone ; they are the difficulties of other representatives of the Irish people. There is in Ireland —do not let us conceal it from ourselves—not only a reckless, a lawless, but a demoralized and demoralizing agency, which is now at work for the twofold purpose of disturbing the country through agrarian crimes, and of making, through unreasonable demands, peaceable legislation impossible. But you have before you noble examples. Are there not numerous members sent hither by constituencies like your own,

your brethren in many an ancient contest for the rights of your fellow-countrymen, who, nevertheless, in this debate, have manfully declared their resolution not upon this great and solemn occasion to reject the opportunity of making a new treaty of peace and concord with the United Kingdom? And if—which I am most reluctant to believe, which I cannot believe—a portion of the Irish people could be induced to embark in this enterprise, is it likely that they would succeed? Is the conflict one of such a character that you ought to encourage them to engage in it, and to reject, upon the second reading, a Bill—I repeat the sentence, because I wish every syllable of it to be strictly scrutinized—to reject, upon the second reading, a Bill which offers to the farmers and the cottiers of Ireland privileges of occupation such as have never yet been enjoyed in two countries that are admitted to be, as respects the condition of the cultivators of the soil, at the very least among the foremost in the world? No, Sir, let us look back, for it is an instructive retrospect, over the history of Irish patriotism.

For one hundred years Ireland has been engaged in almost continuous conflict, I will not say with the nation, but with the governing power of this island. She has engaged in that conflict with all the disadvantages of limited population, of inferior resources, of backward political development, and yet she has been uniformly successful. Strength and weakness have grappled together in stubborn, almost incessant, conflict, and on every occasion, in a succession of falls, strength has been laid prostrate on the ground, and weakness has waved on high the banner of victory. And why was it so? Last year my hon. friend, the Member for Merthyr Tydvil, using, as he was well entitled, the resources of skilled oratory, excited the curiosity of the House by producing to us a proverb in Welsh, and afterward he conveyed to us the English sense. Unhappily for myself I cannot recite his Welsh, but his English was this—a nation is stronger than a lord. I, Sir, admit it. I admit more—a nation is stronger than a Parliament; but I will add yet another saying—there is something else that is stronger even than a nation, and that something is justice. The career of Ireland has ever been

onward. Her cry has ever been *Excelsior*; but because she has had justice for her cause, and has been sustained in her conflict by that which is the highest earthly organ of justice, the favouring opinion of the civilized and Christian world. We, Sir, have accepted in good faith the challenge which carries us before that august tribunal. We seek in friendly contest to deprive Ireland of that powerful alliance. There is but one way in which it can be done, and that is by offering her justice, justice ample and complete. Will you take it upon you to ask for more? Victors you have been in many battles; but what will be the issue of this new and now threatened strife, when already—as we know from the utterances of high and low in other lands—the world has begun to recognize the efforts this great country is making for peace and concord? What will be the issue of that strife, what will be the weight of responsibility, if, intoxicated by success, and believing that that which has been must ever be, you venture to make, on the part of Ireland, or on the part of a portion of the people of Ireland, demands that justice cannot sanction or concede? Sir, we have been invoked to-night in solemn terms from both sides of the House, by my right hon. friend the Member for Kildare, and by my noble friend the Member for Haddington, to be just and fear not. It is our desire to be just; but to be just we must be just to all. The oppression of a majority by a minority is detestable and odious; the oppression of a minority by a majority is only by one degree less odious and less detestable. The face of justice is like the face of the god Janus. It is like the face of those lions, the work of Landseer, which keep watch and ward around a record of our country's greatness. She presents one tranquil and majestic countenance towards every point of the compass, every quarter of the globe. That rare, that noble, that imperial virtue has this above all other qualities, that she is no respecter of persons; and she will not take advantage of a favourable moment to oppress the wealthy for the sake of flattering the poor, any more than she will condescend to oppress the poor for the sake of pampering the pride and luxury of the rich. I beseech my hon. friends, then, to pause, before they call on us to do an act which will break up the

concord and unanimity of Parliament. We have been met, and thus far handsomely and wisely met, from the other side of the House; we have been met, and gallantly met, by many of those who have been foremost in fighting the battles of the people of Ireland at times when that championship was less favoured than now by the smile of Fortune. Hesitate, then, I beseech you, before you run the risk of lighting a flame which you may in vain endeavour to extinguish, lest, unhappily, your country, after surmounting every difficulty, and after baffling and conquering every enemy, should at length miss the prize of national peace, happiness and contentment through the agency of those she believed to be her friends.

The numbers were:—

|                                 |    |    |    |    |    |       |
|---------------------------------|----|----|----|----|----|-------|
| Ayes                            | .. | .. | .. | .. | .. | 442   |
| Noes                            | .. | .. | .. | .. | .. | 11    |
| Majority for the second reading |    |    |    |    |    | — 431 |

A  
CORRECTED REPORT  
OF THE  
SPEECH

OF THE  
RIGHT HON. W. E. GLADSTONE, M.P.,  
AT GREENWICH,

*October 28, 1871.*

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A CORRECTED REPORT  
OF  
MR. GLADSTONE'S SPEECH  
AT GREENWICH.

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MR. ANGERSTEIN and GENTLEMEN.—When I had the honour of addressing this constituency in the month of December, 1868, I endeavoured to state with frankness to you my consciousness of the peculiar disabilities under which I should labour, in the trust I had the honour to receive, with respect to the discharge of what I may call local duties towards you ; and I stated that if you were pleased to return me to Parliament I could not but make almost unlimited demands upon your indulgence. Gentlemen, if I have not been amongst you since that period, at least it may be said with truth that I have not been idle. I have been engaged in the unintermitted endeavour to discharge the main and paramount portion of the duties you were pleased to place in my hands. But I was and am deeply sensible that, in thus consenting to forego much of what was due to yourselves as a powerful and important community, you imposed upon me a debt of gratitude which it ought not only to be my pleasure to acknowledge, but which it ought to be the constant endeavour of my life to pay in something better than words—something better than local compliments—namely, in labour for the public good. And at least, gentlemen, this I can say, that if I have not been able to render to you the tokens of respect which are your due, I have never gone off my path for the purpose of visiting any other place. This is the first occasion since the general election upon which, by my own opinion and will, and there

the friendly urgency which on two occasions availed itself of my presence for other purposes in the North—this is the first occasion that I have, by my own choice, visited and addressed an assembly of my fellow-countrymen. And, gentlemen, now that I have come, and now that, by gathering in these enormous numbers, you have testified your interest in the subject of our meeting, I am painfully oppressed with the consciousness that, however great may be your patience, and however kind your attention, neither your time nor my own physical strength can possibly enable me to do any justice to the subjects that are before me, or to render anything like an adequate account of my stewardship. I repeat, then, that I must trespass on your indulgence, and beg you to believe that if I touch but lightly, or even pass over altogether, many topics of public importance, it is not because I am insensible of their weight, but it is on account of the restrictions imposed by the physical conditions under which I address you.

#### GREENWICH HOSPITAL.

Of your local interests, gentlemen, strictly so called, I will now say but one word, because it refers to a point at which, as a matter of fact, they touch upon a national subject. I mean with respect to the noble hospital at Greenwich. I had the honour of stating to an important deputation of your townsmen, formed without any distinction of political opinions, the views with which her Majesty's Government would approach the consideration of the questions connected with that truly national building. Since that time the matter has had the careful attention of my right honourable friend the First Lord of the Admiralty; and I am sanguine in the belief that, when his plans are matured, you will find that it will be, as I hope, in our power to apply the hospital to a purpose which will be satisfactory to you and to the country. Nor do I despair even of this, that it may be a purpose—though it would be premature to express a positive opinion—that it may also be a purpose, which will revive and renew the traditions of the glorious profession with which, from the first, it has been connected.

## THE HISTORY OF THE PAST PERIOD.

I am not about to spend a large portion of your time in discussing exclusively the questions connected with the late session of Parliament. They have been largely debated, or largely considered, before many assemblages of Englishmen during the recess, and I rejoice that the public mind has been actively given to considering the history of that session, because the result has been to dispel entirely the delusion of those who suppose that, because it had been a session distinguished, unhappily, by peculiarities in the method of offering parliamentary opposition, it had, therefore, been an unproductive session. Of all the charges that were brought against the Government the principal one that will remain is this, that they laid upon the tables of Parliament too great a number of measures. Well, now, gentlemen, I wish upon that charge to make one observation. It is not exclusively in the option of Government to determine what measures it shall lay upon the tables of Parliament. It is true that formally that matter lies within their choice; but the influences that act upon them, both from within the Houses of Parliament and from the public expectation of the country, frequently—aye, constantly—make it a matter of moral necessity for them, even while they themselves may regret it, to produce to Parliament a greater number of measures than they can confidently reckon upon carrying into law. Now, there were four measures which we placed upon the table of the House of Commons that did not become law. I mean four measures of special importance, to which in this criticism special reference is made. And what were they? One of them was the Scotch Education Bill, another was the Licensing Bill, a third the Local Government Taxation Bill, and the fourth was the Mines Regulation Bill. [*A Voice*—“What about the Ballot?”] I would venture to say to my friend that it is in his power, if he thinks fit, to inflict great inconvenience upon his neighbours, by making it difficult for them to hear me. It is for him to consider the propriety of that proceeding. Now, I am not about to argue whether we ought to have made greater progress with those four measures;

but what I am about to state is this, that such was the state of public expectation and demand with regard to every one of those subjects, that it was not in our choice to refuse to place our views before Parliament in the form of a bill laid upon the table; and I believe I am within the mark in saying that if we had attempted to avoid incurring that responsibility, either other members of Parliament would themselves have endeavoured to procure—not legislation upon the subject, but at least the production of measures of their own, for legislation was impossible; or even it would have happened that the House of Commons, by a resolution, would have declared its opinion that it was the duty of her Majesty's Government to produce to Parliament measures for the purpose of dealing with those questions.

#### DURATION OF LIBERAL GOVERNMENTS.

It is often said, gentlemen, that the present Government have had a very easy task, because they have been supported by a large majority; and inferences are drawn perhaps, by some of my friends in a knot of a score of persons over in that quarter [*alluding to individuals in the distance*] to the effect that our intellectual capacity must be very narrow indeed, inasmuch as we have experienced difficulties in doing what we wished to do while we had this immense Liberal majority at our backs. Now let us consider this matter.

There is a delusion in the public mind upon the subject; and perhaps you will be surprised when, not dealing with argument, but with fact, I inform you that we are the first Liberal Government which as yet has subsisted for three years with a large majority. In my time there have been only three Liberal Governments with large majorities. One of them was the Government of Lord Grey, which had an enormous majority returned to support it in the month of December, 1832. It survived the year 1833; but in May, 1834, it was broken by schism; in June, 1834, Lord Grey was put out, and in November, 1834, that Government was finally extinguished. The next Liberal Government which had a large majority was the Government of Lord Palmerston, in the year 1857, when he appealed to the country, and the country returned

a majority of about eighty to support him. That was in the month of May, 1857. In the month of February, 1858, the Government of Lord Palmerston was displaced by a vote of the House of Commons. In 1866 the Government of Lord Russell met Parliament with another large majority—a majority of seventy; and before the end of that session the Government of Lord Russell came to be counted with the things that were. Now, gentlemen, I think that I have made good my assertion—I hope, without any offence to anybody, the most susceptible of my hearers—that we are the first Liberal Government that has been returned to Parliament since the Reform Bill with a large majority which has survived the operations of three sessions. And yet we are here, in old English phrase, “alive and kicking.” I believe there is pith in us yet; and the speech I make to you to-day is not a last dying speech and confession. Gentlemen, I shall not make a party speech in the sense of wilfully offending opponents. To defend is part of my duty. But I shall endeavour carefully to observe that just regard for the feelings, at any rate, of all portions of my constituents, which, I think, is the duty of every member of Parliament when he meets them assembled, without distinction and without restraint, under the open sky of heaven. But, further than as I have now described, I do not mean to adopt an apologetic tone. I do not mean to promise that we can or shall in the future be other than we have been in the past. I mean to endeavour to place before you, as a fair sample of the people of England, I will not say my own case personally, but the case, as far as I can, also of my colleagues. Moreover, in passing, I will say that as no Minister ever had the honour of serving a Sovereign more august or more beloved, so no Minister ever had cause to feel deeper gratitude to a body of able, devoted, and harmonious colleagues. It is now more than 200 years ago when a Minister of iron will and of great mental powers, Lord Strafford, in apologising for himself to his fellow countrymen, told them that the work of government was such that indulgence must be applied to its critical examination. If this was true at that period, much more is it true now, when all civil and social wants have

undergone such an immense development, and when political responsibility has assumed forms entirely new. But, except as to such apology, I am here respectfully and firmly to defend the course which has been taken by the Government.

### IRELAND.

When I had the honour of receiving my Parliamentary mission at your hands, there were two subjects which were prominently placed before you, and which, constituted, in fact, what is popularly called the programme of the Government. The first and the greatest of these related to Ireland, with respect to which you will recollect that the venom of political discontent had shortly before been so active and so powerful that even in and from London you saw alarm pervade the whole community. You saw violence attack one of the public gaols; and in Manchester you saw murder, the fruit of Irish discontent, stalking in the streets. I am not going to dwell in detail on the manner in which Parliament has dealt with this great and paramount portion of the mission of the Government; with the subject on which it was that we had defeated our opponents, and for the sake of dealing with which it was that we took office. But this I will say, that I believe that the community of Ireland is well satisfied with the measures which obtained the sanction of the Legislature, and that in Ireland there have been laid, for no very distant future, the foundations of solid political content. It would be premature to anticipate too confidently the ultimate results; but I feel justified in saying that of all that I addressed to you on this great matter in December, 1868, I recollect no part or portion which it is needful for me to qualify or retract. In the face of the three countries, ay, in the eye of all civilised mankind, the Legislature has made a great effort to do justice; and all that takes place from day to day leads me to the confident expectation that that effort will be crowned with success.

### PUBLIC ECONOMY AND THE DOCKYARDS.

But, gentlemen, there was another subject—the subject of economy in the public expenditure—upon which also I



addressed to you words I believe sufficiently significant, and as this is a question of ever-recurring daily interest, I must advert to the charges that have been made against the Government with respect to it. It has been said, and said with confidence, that we have practised economy with gross inequality and partiality, that we have dismissed clerks, that we have dismissed dockyard labourers—and that, when we have had the opportunity, we have refused to touch the sinecurist or the official functionary of a higher position. Now, with respect to the dismissal of dockyard labourers it is necessary that I should say a few words; and the facts which I mean to communicate to you may, perhaps, cause some astonishment, because you are aware that, if you trust to the representations of speakers or journals of a certain class, this dismissal of dockyard labourers, first of all, is a crime, and, secondly, is a crime that has been committed by the present Government alone. I will give you, in a concise form, the particulars. But, in the first place, let me say that, in my opinion, the closing or the restriction of Government establishments, so far from being a crime, may be a duty to the nation, and has been recognised as such duty by both parties when they have been in office. That it is a serious misfortune to many of those whom it affects I am the first to assert; but the true inference to be drawn from that is, not that men are to be kept in idleness at the expense of the nation, nor that useless work is to be created in order to employ them; but this, that the original creation of Government establishments, and that every extension of Government establishments, ought to be watched with the utmost jealousy, and ought never to be allowed except under clear and stringent necessity. As to the number of dockyard labourers—now listen to these figures, for they are worth hearing. The number of dockyard labourers employed on the 1st of January, 1868, was 20,313. On the 1st of December, 1868, which was the day before I received my summons to the presence of Her Majesty at Windsor, that number of 20,313 had been reduced to 15,954. The difference, showing the reduction since the beginning of the year, was 4359. The number of dockyard labourers which we found, therefore, was as I have

told you, when we came into office; more exactly, it was 15,974, and the number on the 1st of October last, which is the latest return I can give you, was 14,511. The result of that statement is that the reduction since we came into office has been 1463. The reduction before we came into office was 4359—so that just three-fourths of the whole reduction of which you now hear so much was not our work, but the work of our predecessors. But, gentlemen, as I have told you, this work was a work not undertaken either by them or by us upon our own arbitrary choice. A plan devised by a former Government, and sanctioned by a Committee of the House of Commons on the application of that Government, was the plan which both the present and the late Administration carried into effect. The Administration, in conformity with that plan, closed Deptford Dockyard on the 31st March, 1869; but they closed it under the decision of the Board of Admiralty belonging to the late Government. The Woolwich Dockyard was closed by the decision of the Board belonging to the present Government; but both were closed in consequence, as I have said, of a plan proposed by a former Government to the House of Commons, and accepted by a former Parliament; and it had become little less than a pledge of honour to Parliament and the country that that plan should be carried into effect.

#### ECONOMY IN THE HIGHER RANKS.

It is said that we have never touched offices of a higher class. Gentlemen, I will speak for myself—and I only speak for myself, because I am thus, of course, more strictly responsible for the accuracy of what I state. Within a few weeks after the formation of the Government one of the most eligible pieces of patronage, as patronage is understood, fell vacant by the death of a Commissioner of Excise, or rather a Commissioner of Inland Revenue, with a salary of 1200*l.* a year. Those who are interested in the matter may ascertain it by reference to the records of the time. I need not even mention the name of the commissioner. It was reported to me that the maintenance of that office was unnecessary; and I immediately directed that it should be abolished. The next eligible piece

of patronage that offered itself to me—and you will understand the difference between offices of patronage and those offices of hard work which must be filled from a fixed and narrow circle of eligible persons—the next was a commissionership of the Board of Customs. With respect to that office, it was reported to me that it ought not to be abolished. But there was another office in the same department—the office of Receiver—with the same salary of 1200*l.* a year, that might be abolished; and the course we took was this—we transferred the Receiver to the commissionership, and we abolished the office of the Receiver. I will not trouble you with details; but I meet with an indignant denial, and I meet with a confident, if not a contemptuous, challenge, the declaration of those who say that we have spared our own patronage while we have dismissed clerks and workmen. It has been our happy lot in almost every department of the State—I believe there are but two exceptions—to give up that which has always been considered the special patronage, and a most highly-prized patronage of Governments—namely, the first appointments of clerks to the public offices. We have abandoned that power—we have thrown every one of them open to public competition. The transfer is now nearly complete; and when it takes full effect, I can say that, as to the clerkships in my office—the office of the Treasury, and in nearly every other—every one of you has just as much power over their disposal as I have.

#### MILITARY AND NAVAL EXPENDITURE.

Well, so much for inequality with regard to our economy. But it is further said that our economies have been so injudicious that they have resulted in increased military and naval charge. Well, that is a simple error on the part of those who assert it. I will trouble you with no details; the figures are public figures; why it is that our figures have now again become so high, perhaps I may say presently; but even at this moment, when we have just charged upon the country a large sum for the abolition of purchase in the army, our military and naval expenditure is still nearly 300,000*l.* below the point at which we found it, though Europe has

been convulsed and disturbed, and though we were obliged to give up altogether the notion of adhering, under circumstances so extraordinary, to the simple peace establishments of the country. But besides that, it is said that even our peace establishments had suffered in efficiency. Now, I make this assertion—which we are ready to maintain, and that we have successfully maintained, whenever the charge has been made in our hearing—that we reduced the scale of estimates that our predecessors had adopted—two millions in the first year, and two millions in the second year, though we have since been compelled by the war in Europe to retrace, to a great extent, our steps. But, instead of purchasing that reduction by inefficiency, we had combined it with increased efficiency. We modified, and restrained, the system under which had been maintained to the present time a practice which may formerly have been reasonable, but which had now become a superstition—the practice by which the ships of England were scattered all over the world, whether they were wanted or whether they were not wanted. We reduced the wanton and useless expenditure which was incurred in that manner, and at the same time we did not reduce, but took effectual measures to strengthen, the real force of the country at home in powerful fleets, available, if need be, at any moment, for the defence of our shores. So it was with respect to the army. We did not purchase economy by the sacrifice of efficiency; we obtained increased efficiency together with economy, and that in two particular modes: the one was by endeavouring, as we are now endeavouring, with every hope of success, to give extension and efficacy to that system of army reserves, which had been until our time a dead letter, and which is but just beginning to expand, but to which the enlightened opinion of the country looks as the most likely means of affording you a first-rate army without an outrageous extent of expenditure; and, further, we likewise proceeded to withdraw our troops from colonies which did not want them, or in which they were useless. We withdrew in various cases,—particularly from New Zealand and Canada—troops from colonies which became available for the defence of England; and even while we were presenting reduced estimates we were able to show that within the limits of the three kingdoms we had an

increase of the force at home prepared to maintain the honour of the country.

### ABOLITION OF PURCHASE.

I now pass on from the subject of the promises that I made to you in 1868; because I am not aware that there was any other question of very great consequence upon which, at that time, it was my duty materially to dilate. But we have gone on from these to other subjects; and what have they been? They have been three—three, I mean, which I place in the first order of magnitude. One of them is the abolition of purchase in the army, one of them is the education of the people—and one of them is the protection of the voter by the ballot. Well, now, first in attacking purchase in the army, we were perfectly well aware that we were assailing class interest in its favourite and most formidable stronghold, and I rejoice to think that in a single session we have been able to achieve a work so formidable. It is indeed achieved at a great cost; because, when the people of England set about political reforms they never accomplish them in a niggardly spirit, but their practice is to make generous compensations to those who may have suffered, aye sometimes even to those who only may imagine themselves to suffer, by them; and in every doubtful case to adopt the liberal course of action. But what is the real case of the British army? The public has been practised upon by writers who seem to find a kind of luxury in panic and alarm; and who endeavour to propagate these feelings throughout the country not without success; although, for my part, I regard them with rather less of charity—I do not mean the people, but the endeavours—with rather less of goodwill and sympathy, than I should regard the propagation of the small-pox or the cattle plague. You have always had in this country, both as to officers and as to men, an army of the noblest and the very best material. Allow me to give you a short anecdote, to vary the wearisomeness of my discourse. I dare say many of you have heard the name of Bewick, who was a famous woodcutter—an artist of great celebrity, a northern man. He lived, I think, in the time of the American War. Besides his woodcutting, he determined that, as it was a time of danger, and he had an English heart

in his bosom, he would learn a little soldiering. So he and two or three of his friends sent for the drill sergeant, and the drill sergeant put them through their exercise, but he only troubled them with one precept, and it was this, "Now mind, my lads, what you have to do is this: When you go into action, you must stand like a brick wall." And that has been the great quality of the British soldier—that under all circumstances he has been ready to stand, and has stood, "like a brick wall." And there was a time when standing "like a brick wall" was almost enough to win a battle. It will not do now. War, instead of being a rude test of strength, has become one of the most highly developed of all the arts practised by mankind. I know not whether to regret it or to rejoice at it; I simply state the fact that, instead of trusting simply to the native and sterling qualities of the people, we must now endeavour to add to these qualities every advantage that can be imparted by the most skilful and effectual training.

#### THE HAMPSHIRE ENCAMPMENT.

With a view to this training—not merely of the men, where it is comparatively simple, but of the officers, who, even more than the men, are the strength of the army, and the essential condition of its efficiency—we have asked the country to pay a large sum of money. The country has met the call with cheerfulness, and has witnessed with satisfaction the downfall of a great monopoly. And, gentlemen, with respect to our alarmists, what have we lately seen? For the first time, at least the first upon such a scale and under such conditions, we have made a very great step in advance, by endeavouring to put a portion of our forces into mimic action upon the open lands of Hampshire. The performances of those troops have been witnessed by most enlightened and distinguished foreign officers from every great country in Europe. We were told at the end of the session, and told by an ex-Minister, whose words would naturally carry force with his countrymen, that we had an army that could not march; and a gallant colonel rose in the house [*A Voice*: "One of your own party!"]—if so, all the better for the purpose, but he was an opponent—a gallant colonel told the House of Commons, that he

felt obliged to break through the rules of its procedure in order to raise a discussion upon the question of the manœuvres, for he said such was the course of the Government, that it was a question not merely of the well-being, but of the very existence of the British army. This was the condition to which we were reduced. Well, now, gentlemen, we have had time to receive back from foreign courts the most interesting reports made to their respective Governments by those distinguished officers; and I am rejoiced to inform you that their character is of the most encouraging description. Not only in every case do they declare a warm admiration—I will not say an unbounded admiration, in order that I may avoid anything like hyperbole—for the material of both our officers and our men; but of the various branches of the service, as to their efficiency, they speak in terms of the highest honour; and while as friendly critics they point out, as we knew they would point out, and as we hoped they would point out, many matters upon which we need and may endeavour to improve, they show that the condition of the army, so far from justifying the ridiculous apprehensions that have gone abroad, is one that ought to fill all Englishmen with hope and satisfaction, and to prove to us that never were our establishments more efficient; never were we more able, if it should please Providence to bring upon us the necessity, to entrust its defence to troops and to officers worthy of their country, and qualified to make the defence effectual. And now let me say one word with respect to the War Minister. It has been the fashion during the present year to scoff at Mr. Cardwell. I can only say that when he is condemned I, for my part, am glad to share the condemnation. But I venture to affirm that no man, who has held the seals of office since the Secretaryship of War was established, has done so much for the reform and efficiency of the army; and I am quite sure that when he retires from that office, he will leave behind him a name entitled to the approval and the gratitude of the country. There, gentlemen, is our justification, summarily stated, for dealing with the question of purchase. I press on to other matters.

## THE EDUCATION ACT.

Were we wrong in dealing with the question of education? ["No, no."] Very well. Has there ever been, I would next venture to say to the most jealous critic of the Education Act—has there ever been achieved in this country so great a step in advance towards the attainment of an object which we believe to be vital to the welfare of the nation? It is not all done at once—it cannot be all done at once. A measure so great and comprehensive, and at the same time so novel, cannot be perfect. The differences of opinion that prevail in this free country make it quite impossible to meet the views of all. Indulgence, equity, the sacrifice of extreme opinions, must be asked for in every quarter. But I ask those who are least satisfied with the Education Act this one and simple question—Whether it is not a great step, nay, a great stride, achieved upon the path of real progress? The objects of that measure shall be very shortly stated. The great object of all was to make education universal and effective. This was to be done, and in doing it we sought, and I think reason and common sense required us to seek, to turn to account for that purpose the vast machinery of education already existing in the country, which had been devised and mainly provided by the Christian philanthropy and the voluntary action of the people. That was the second condition under which the Act was framed. The third was, and I think it was not less wise than the two former, that we should endeavour to separate the action of the State in the matter of education, and the application of State funds, in which I include funds raised by rate, from all subjects on which, unhappily, religious differences prevail. Those, I may say, were three of the principles of the measure; and the fourth principle, not less important than the others, was this: that we should trust for the attainment of these great objects, as little as possible to the central Government, and as much as possible to the local authorities and the self-governing power of the people. And let me say in passing, that in my opinion if there be one portion of our institutions more precious in my view than another, it is that portion in which the people are locally organised for the purposes of acquiring the habits and instincts of political action, and



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Parliament principally to apply itself, you may be disposed to think we have not made an unreasonable or injudicious selection, although we had to choose from among many matters of deep interest and importance.

### SOCIAL LEGISLATION.

I will now say a word or two as to the future. I will allude to one measure in particular, or rather one set of measures, relating to a painful subject, on which I cannot here enter into detail. I mean those measures which are known by the name of the Contagious Diseases Acts. I can only assure you that they have received the closest attention of the Government, and that we shall be ready, when the session arrives, in due course, to state our views, and that I believe then it will be found to be your opinion that we have not fallen short in the care and interest which the subject demands; that we have not concealed from ourselves the difficulties that beset it; and that the modes in which we may propose to deal with it are likely to command the general approval of the intelligent community.

The great questions, gentlemen, to which I have lately referred have caused us, in a considerable degree, to put aside another class of questions upon which the heart and mind of the country are strongly set. If I may describe them by a single phrase, I should be disposed to describe them negatively as subjects of non-political legislation. What relates to health and the well-being of life, to the good order and comfort of the community, to the reasonable supplies of those necessities of air, water, and the like, wherein the action of public authority is almost of necessity involved—these and many other matters all fall within that interesting class. Depend upon it, you will never find a Government that is not of itself disposed to give its attention as early as possible, and as much as possible, to questions of that description. And I will tell you why. First of all we may hope that every Government would be actuated by those motives and feelings of philanthropy and humanity, which dictate a sedulous attention to those subjects. But if I am to look to narrower and more selfish motives, none can be so interested in giving prominence to that class of topics as a Government itself; because they are removed

from the sphere of party ; because, while we are dealing with them, the existence of the Government is hardly in question ; because, instead of a constant and daily strife, you have, upon the whole, concord and harmony between the two sides of the House. And I must say it would be totally contrary to the laws and impulses of human nature, if a Government were not pleased with that state of things, and with that description of employment, rather than with being involved in controversies properly political, in which its existence is incessantly at stake. Of course these subjects do not admit of lengthened development upon occasion such as the present ; but the reason why I have dwelt at length upon the great matters on which we have endeavoured to employ the time of Parliament was in order that you might see that, if little had been achieved upon those important and non-political questions, it was not for slight cause, but it was because we had been compelled by overwhelming motives of public duty to give the first place to the great national overruling subjects on which I have for so long a time detained you.

#### THE HOUSE OF LORDS.

There is a question of the future on which we have heard much said of late—I mean the question of the constitution of the House of Lords. [*A Voice* : “ You had better leave that alone.”] My friend there says, “ Leave the constitution of the House of Lords alone.” I am not prepared quite to agree with my friend, because the constitution of the House of Lords has often been a subject of consideration among the wisest and the most sober-minded men ; as, for example, when a proposal—of which my friend disapproves apparently—was made, a few years ago, to make a moderate addition to the House of Lords, of peers holding peerages for life. I am not going to discuss that particular measure ; but I will only say, without entering into details that would be highly interesting, but which the vast range of those subjects makes impossible on the present occasion—I will only say that I believe there are various particulars in which the constitution of the House of Lords might, under favourable circumstances, be improved. And I am bound to say that, though I believe there are some politicians, bearing the name of “ Liberal,” who ap-

prove of the proceedings of the House of Lords with respect to the Ballot Bill at the close of the last Session—I see a gentleman disposed to differ from me, and I have no doubt that his opinion is entitled to the greatest weight: if he likes to address this assemblage, I dare say they will be delighted to hear him, but, if I do not stand in his way, perhaps he will allow me to go on—I must own that I deeply lament that proceeding on the part of the House of Lords. It seems to me to have been a great error. After the House of Commons, which had been engaged in other and most serious labours for four or five months, had given some six weeks of the Session—six weeks of very arduous labour—mainly to maturing the Ballot Bill, it appears to me to have been a great and grievous error, I cannot call it anything less, on the part of the House of Lords, in the second week in the month of August, to say that really such was the time at which they had arrived as to render it impossible for them to afford to that measure the number of days—not a very large number of days, according to all precedent and likelihood—that it would have required from them. In the year 1835, the House of Lords, which had a Conservative majority in the face of a Whig Government, not only devoted the month of August, but carried into September the labour necessary for a subject not more important than the Ballot, and at that epoch a subject which had come prominently before the public for the first time—I mean the subject of municipal corporations. But the House of Lords at that juncture was led by a great man. The Conservative majority was guided by the Duke of Wellington; and, although, for my own part, I am not able, in all its parts, to admire the statesmanship of the Duke of Wellington, I shall always profoundly admire the tact, and the skill, and the sound constitutional judgment with which he managed the House of Lords, so as to prevent that particular branch of the Legislature from being placed in dangerous conflict with the popular branch or with the sentiment of the country. But the reform of the House of Lords, which has been recommended in many quarters, is briefly this,—and here I think I am coming to a point of probable agreement with my hon. friend, if he will allow me so to call him. The

reform recommended is this—that we should eject and expel from the House of Lords what is termed the hereditary principle. Now, gentlemen, I hope I am at least earnest and sincere in my intentions as to being what passes for a Liberal politician; but before I agree, and before I commit myself to expelling from the House of Lords the hereditary principle, I will think once, I will think twice—nay, I will even think thrice. It is not on account of this or that particular error committed by a public assembly that we are vitally or profoundly to change the established and accustomed usages and principles of the Constitution. Mark what has since happened. Lord Shaftesbury, whom I mention with a profound respect on account of his earnest and devoted philanthropy, went the other day down to Glasgow, and he received a most warm welcome on the part of the vast population of that city—the working population of that city. In consequence of that incident, some politicians threw up their hats, and exclaimed that the people of Glasgow approved of Lord Shaftesbury's motion with regard to the Ballot Bill. I think that was a precipitate conclusion. But this I conceive was shown by his reception—that the people of Glasgow, being a sagacious people, were not disposed, on account of that particular error, to draw rapid and precipitate conclusions, either against a man or against a body which had performed distinguished services. I will ask you two things; this is a question of so much interest to all, that even after the length to which I have necessarily been drawn, I beg your attention to two points on this portion of our subject. Before you determine to expel the hereditary principle from the House of Lords, I first ask you, the people of Greenwich, as representing the people of England, what you will substitute for the hereditary principle? [*A Voice*—“Five years' election.”] That is a fruitful hint, but yet I have another point to suggest, and it is this: I have a shrewd suspicion in my mind that a very large proportion of the people of England have a sneaking kindness for this hereditary principle.

#### EQUALITY.

I do not mean, gentlemen, by these words that a large proportion of the people of England either desire, or intend, or

would permit that which I hope that they never will desire, or intend, or permit—namely, that the House of Lords should exercise a paramount control over the legislation of the country. That is quite another matter. But this I do say—that the people of England are not, like the people of France, lovers of naked political equality. England is a great lover of liberty; but of equality she never has been so much enamoured. Gentlemen, in judging of this question, I must say that possibly the observation of the manner in which, for such long periods, and under so many varieties of form, the love of equality in France has proved insufficient to save our generous and distinguished neighbours from the loss of liberty—the observation of these facts may tend to confirm the people of the three kingdoms in the feelings that I think they entertain; but I want to put this to you as a practical question. The only mode of judging whether an Englishman—and I use the word “Englishman” for the people of the three kingdoms—is not unfriendly to social inequalities is by watching the working of our institutions in detail. My observation has not been of a very brief term—I wish it had been, for then I should have been younger than I am now—and it is this: that whenever there is anything to be done, or to be given, and there are two candidates for it who are exactly alike—alike in opinions, alike in characters, alike in possessions,—and one is a commoner and the other a lord, the Englishman is very apt indeed to prefer the lord. Once upon a time, about fifteen years ago, it was supposed that the Whig party was too aristocratic and exclusive. A popular combination of members of Parliament was formed for the purpose of practically protesting against this supposed exclusiveness. I do not think the charge was made good; but that is immaterial. This body of respectable men organised their association; and, after they had thus taken their ground for the purpose of making a practical protest, there came a petition from some rather important town in favour of the objects of the association. This petition, I think, was sent to some one who acted as secretary; but at any rate the question arose among them who should present the petition on the part of the body. I believe there were about forty of these gentlemen; but there was only one of them who was

a lord, and these gentlemen determined that the lord should present the petition.

### THE SEVEN POINTS.

We have had another illustration—and a most amusing illustration—within the last few days. You have all of you heard of the Seven Points. I am not going to enter into the mysterious and mystical parts of this transaction, which I have no doubt is destined, under the action of time, which brings all things to light, to undergo further elucidation; but there is one gentleman whose name there is no doubt about at all, for he is in the thick of it. I believe he is a very distinguished man; he is Mr. Scott Russell. Mr. Scott Russell seems to have cast his eyes around, to have surveyed the whole circuit of the community, and to have thought that he had got a secret whereby the discords of class could be removed; so he forms a body of working men, an organised body, considered or supposed in some degree or other, great or small, I do not know which, to represent the working men on one side; and there is also, it seems, an organised body considered to represent the upper classes on the other side. So we have one body on this side, another body on that side, and in the middle Mr. Scott Russell. Mr. Scott Russell carries on communications with both of these bodies. He speaks first to the one and then to the other. You have seen a clergyman in a large church—when he gives out his text. He first looks here, and says to the people in that direction, It is written so and so, and in such a place you will find it. Then he looks there, and says the words again, In such a place you will find it. This is exactly, or almost exactly, what seems to have been done by Mr. Scott Russell; the only difference is this—that unfortunately Mr. Scott Russell gave the text out of the New Testament to the people on this side, and the text out of the Old Testament to the people on that side. But the point I wish to call to your attention is the description—it is a very brief and clear one—given by Mr. Scott Russell to the working men of the nature and composition of the body which he had brought to deal with them. He might have said, "I have brought together a body of educated, intelligent, able, independent men;" and perhaps that is what



would have taken place in any other country: but, on the contrary, what was the language he used? He said—"I have organised a body," and what does it contain? "It contains, peers, lords, baronets, and one commoner." One solitary commoner among peers, lords, and baronets! Mr. Scott Russell must have known the dispositions of those whom he was addressing, and no doubt when he leant to this side of the congregation he used the language which would be agreeable to its sympathies and feelings; and yet—so it fell—there was but one commoner in this illustrious body of titled persons, like a solitary non-commissioned officer preferred from the ranks to the mess-table. That is the kind of composition he prefers. It is by describing men as "peers, lords, and baronets" that he finds he will make his prescription more acceptable to those for whom it was intended. This is all full of meaning. I know there cannot be conclusive force in any one particular illustration with respect to a matter which can only be judged by a long course of observation. But this I do say, as my own conviction, that the general sentiment most prevailing in this country is that those who compose the House of Lords are men, or are the descendants of men, of whom a very large proportion are, or were in other times, put into that house for public services, and people are disposed to look with considerable favour upon such men, and likewise upon the descendants of such, until they have proved themselves unworthy. And they know that in effect, not by compulsion—[uproar in the distance, caused by a tipsy man gesticulating and shouting among a group of lads who had hoisted him on their shoulders]—I have made a convert over yonder—in effect, and not by compulsion, but by the free will of the people, this body of gentlemen in the House of Lords exercise throughout the country a vast social and political influence; and lastly, that many of them—although the good ones have to carry, as it were, on their backs the dead weight and the responsibility of the bad—many of them perform their duties in an admirable and exemplary manner. Under these circumstances, gentlemen, though I hope I shall, while I remain in public life, be able to act zealously and cheerfully with you for the promotion of Liberal opinions, I, for one, have never under-

stood by Liberal opinions either precipitate conclusions or subversive opinions. And I hope we shall well consider, before we commit ourselves to vast changes, to the introduction of new and far-reaching principles, what the results are likely to be.

### ADVICE TO WORKING MEN.

Now, gentlemen, I am drawing very near to my close; but I must still detain you while I refer to a sentiment, which undoubtedly has been more perceptible in the country during the present year, than I have noticed it in a good many former years. I mean a suspicion on the part of many members of the working class, that they are not governed as they ought to be, and that their interests are not properly considered. I will not enter upon the particular causes, connected with the uneasy state of Europe, which may go far to account for this sentiment; but I will venture to say this, that I think the working man will do well briefly and calmly to review the history, with regard to himself, of the last eighteen years. I take that period—I might take a longer one—but I take that period because it enables me to present results in a tolerably simple form, and because it is a period within which I have been most intimately conversant with a multitude of questions, in which the welfare of the mass of the community is deeply and directly concerned. Within these eighteen years, what has taken place affecting all classes of the community, but especially, and more than all others, affecting the working classes of the people? In the first place, perfectly free access has been given for the entry into our ports of everything that they can want from every quarter of the world—I mean perfectly free, whether as regards prohibitions or as regards protective duties. In the second place, we have seen remitted during those eighteen years an amount of taxation which I will not undertake—and which it is not necessary for me at this moment—to state minutely; but I will venture to assert that the taxation upon commodities, which he has seen remitted within that period, is something between 15,000,000*l.* and 20,000,000*l.* sterling per annum. That remission of taxation, in which the working man is so especially interested, has not been purchased by an augmentation of the burdens upon

other classes; because the Income-tax, though it is higher now than I should like to see it—namely, at 6*l.* in the pound—is still one penny lower than it was eighteen years ago, before those fifteen millions of taxes were remitted. Within these eighteen years, his class has been invested largely with the Parliamentary franchise, and he now sees himself at the point where he may reasonably hope that, before he is six or eight months older, he will be protected in the free exercise of that franchise by means of the Ballot. The Parliament has passed an Act which aims at securing for all his children, under all circumstances, a good primary education, and which provides that, if unhappily he be unable himself to meet the cost, it shall be defrayed for him by the State and by his wealthier neighbours. Whilst this provision has been made for primary education, endeavours have been made, through reforming the Universities, through the entire abolition of tests, and through an extensive dealing with the public and the grammar schools of the country, to establish the whole of our schools in a hierarchy of degrees—the several orders of education rising one above the other—so that, whenever there is in a child a capacity to rise, he may, with facility, pass on from point to point, and may find open to him the road through knowledge to distinction. But education would not be of great use to the people unless the materials of study were accessible; and therefore, at no small cost of political effort, the material of paper has been set free of duty, and every restriction, in stamp or otherwise, upon the press has been removed. The consequence has been the creation of a popular press which, for the lowness of its price, for the general ability—aye, for the general wisdom and moderation with which it is written, and for the vast extent of its circulation, I might almost venture to call, not only an honour to the nation, but the wonder of the world. And in order that the public service might indeed be a public service—in order that we might not have among the civil offices of the State that which we had complained of in the army—namely, that the service was not the property of the nation, but of the officers, we have now been enabled to remove from the entry into the Civil Service the barriers of nomination, patronage, jobbing, favouritism in whatever form; and every man belonging to

the people of England—if he is able to fit his children for the purpose of competing for public employment—may do it entirely irrespective of the question of what is his condition in life, or the amount of means with which he may happen to be, or not to be endowed. I say confidently, in the face of those of the working community who may hear me, and to the minds of all those who may pay the least attention to these words through any other medium, that when, within such a period as I have described, measures like these have been achieved, while there may remain much to be done—I am the last to deny it, I am the first to assert it—there is reason to look with patience and indulgence upon a system under which such results have been accomplished; some reason for that loyalty to the Throne, and that attachment to the law, which are the happy characteristics of the people of this country.

#### INDIVIDUAL RESPONSIBILITY.

But while I would exhort you to impose upon the Government and the Legislature every burden that they are, in their own nature, capable of bearing, in my mind they are not your friends, but in fact, though not in intention, your enemies, who teach you to look to the Legislature, or to the Government, for the radical removal of the evils which afflict human life. I read but a few days ago, in a questionable book, verses which I think contain much good sense, and which I will read to you:—

“ People throughout the land  
Join in one social band,  
And save yourselves.  
If you would happy be,  
Free from all slavery,  
Banish all knavery,  
And save yourselves.”

It is the individual mind, the individual conscience; it is the individual character, on which mainly human happiness or human misery depends. The social problems which confront us are many and formidable. Let the Government labour to its uttermost, let the Legislature spend days and nights in your service; but, after the very best has been achieved, the question whether the English father is to be the father of a

happy family and the centre of a united home, is a question which must depend mainly upon himself. Those who propose to you schemes like those Seven Points of which I spoke—who promise to dwellers in towns that every one of them shall have a house and garden in the country—those who tell you that there shall be markets for selling, at wholesale price, retail quantities—I will not say, gentlemen, that these are impostors, because I have no doubt that they are sincere; but I will say that they are quacks—they are misled and beguiled by a spurious philanthropy, and when they ought to give you substantial, even if humble and modest, boons, they are endeavouring, perhaps, without their own consciousness, to delude you with phantasms, and to offer you glowing fruit which, when you attempt to taste it, will prove to be but ashes in your mouth. No, gentlemen, what we have to ask ourselves are questions which it depends upon ourselves individually in the main to answer. How are the ravages of strong drink to be checked? In an age when, from year to year, more and more women are becoming self-dependent members of the community, how, without tampering with the cardinal laws that determine providentially their position in the world, how are we to remove the serious social inequalities under which I, for one, hold that they labour? How, in a country where wealth accumulates with such vast rapidity, are we to check the growth of luxury and selfishness by sound and healthy opinion? How are we to secure to labour its due honour?—and I mean not only the labour of the hands, but the labour of the man, with any and with all the faculties that God has given him? How are we to make ourselves believe, and how are we to bring the country to believe, that in the sight of God and man labour in this world is honourable, and idleness is of all things most contemptible? Depend upon it I do but speak the serious and solemn truth when I say that, within and beneath the political questions that are found upon the surface, lie the deeper and more searching questions that enter into the breast, and that strike home to the conscience and the mind of every man; and it is upon the solution of these questions, and other questions such as these, that the well-being of England must depend.

## CONCLUSION.

Gentlemen, I use the words of a popular poet when I give vent to those sentiments of hope with which, for one, I venture to look forward to the future of the country. He says—

“ The ancient virtue is not dead,  
And long may it endure !  
May wealth in England ” . . .

(and I am sure he means by wealth the higher sense of it—prosperity alone, but healthful and sound prosperity)—

“ May wealth in England never fail,  
Nor pity for the poor.”

May strength and the means of material prosperity never be wanting to us ! But it is far more important that there shall not be wanting the disposition to use those means aright. And now, gentlemen, I shall go home from this meeting, after having given you the best account in my feeble power, within the time and under the circumstances of the day, strengthened by the comfort of your kindness and your indulgence, to resume my share in public labours. And no motive will more operate upon me as an incentive to the discharge of duty than the gratitude with which I look back upon the, I believe, unexampled circumstances under which you chose me for your representative. But I shall endeavour and shall make it my special aim to show that gratitude less by words of sounding compliment or hollow flattery than by a manful struggle, according to the measure of my gifts, humble as they may be, to render service to a Queen who lives in the hearts of the people—and to a nation, with respect to which I will say that through all posterity, whether it be praised or whether it be blamed, whether it be acquitted or whether it be condemned, it will be acquitted or condemned upon this issue—of having made a good or a bad use of the most splendid opportunities ; of having turned to account, or having failed to turn to account, the powers, the energies, the faculties which mark the people of this little island as among the small and select company of great nations that have stamped their name on the page of history as gifted with the qualities that mark the leaders of mankind.

[*Authentic Report.*]

# A D D R E S S

DELIVERED AT THE

DISTRIBUTION OF PRIZES

IN THE

LIVERPOOL COLLEGE,

DEC<sup>R</sup> 21, 1872.

BY THE RIGHT HON. W. E. GLADSTONE,

FIRST LORD OF THE TREASURY.

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WITH AN INTRODUCTION AND ILLUSTRATIVE PASSAGES.

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## INTRODUCTION.

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IN taking so grave a step as to animadvert strongly on the published opinions of men of eminence and character, I think it my duty to show, by a few citations of their own words, where the original is English, and in the case of Dr. Strauss, by a few translated extracts, that I do not deal in merely vague accusations, and that I have not overstated the gravity of the case.

And by way of commencement, in order to show the change in the tone of the public, or the speculative mind during the last forty years, and to supply a measure of the distance over or down which we have travelled within that period, I will quote a passage from a competent and well-informed writer. In the 'Christian Advocate's' publication for 1829, Mr. Hugh James Rose, who then held the office at Cambridge, when giving his reason for a partial deviation from the usual course in the choice of his subject, observes as follows:—

"As far as I have been able to collect, no persons have stood forward, very recently, as the *avowed* opponents of Christianity, whose characters or whose works give them any claim to consideration or reply."\*

Dr. Whewell's Bridgwater Treatise on Astronomy and Physics was published in 1834; and the whole of that series, given to the world about the same date, seemed to be a public proclamation of the established harmony between Science and Religion.

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\* Advertisement to Rose's 'Christianity Always Progressive' (London 1829).

Neither of the Universities had, as far as I know, been disturbed for a great length of time by any controversy affecting the foundations of belief. Dean Milman's 'History of the Jews,' which appeared about 1830, was attacked with severity, perhaps almost ferocity, by Dr. Faussett, then the Margaret Professor of Divinity at Oxford. The same work was republished, with a preface fully maintaining its propositions, in 1863. Those, who read it now, will find some assistance towards estimating the change in our position, from observing the slightness of the cause which then sufficed to produce an excitement not inconsiderable.

I must add that for twenty years, or thereabouts, from that time, according to my observation, belief was everywhere, to all appearance, progressively extended and confirmed. Perhaps the first note of the coming assault was the publication of the work entitled 'Vestiges of Creation.' It obtained a wide circulation; but in general society it was almost universally condemned. I here purposely confine my references to the works of men anonymous or dead. The difference of times became observable, when the fatalistic book of Mr. Buckle, notwithstanding its ungainly form and the portentous width of its plan, became a favourite even in drawing-rooms and in boudoirs. But the spirit of class with us enters into these matters among others; and while unbelief well printed, well bound, and well ushered into the world—in a word, unbelief in broadcloth—seems to be held perfectly "respectable," unbelief in fustian is still almost savagely condemned.

I wish to add that the aim of my Address is not to preach pessimism, but to point to a specific evil for a specific purpose. And that purpose is to warn, I will not say to prepare—for that is a much larger matter—the minds of those who heard it, against that which they cannot fail to meet with, warned or unwarned. I named accordingly one

or two of the seductive (I am almost tempted to call them cant) phrases of the day, and some of the thoroughly unsound intellectual habits which, it is strange to say, are more or less tolerated among those sometimes described as the thinkers of the age, sometimes by other favourite and not less imposing titles. I am aware that many objections may be taken to my having touched the subject. One of those I should feel the most lies against the necessarily crabbed and partial nature of my reference to such parts of it as I have named. Besides, there are other heads which I should have wished to touch, and among them the strange assumption that, because God is infinite, the finite mind of man can have no points of true contact with Him; and the grossly fallacious character (as I believe) of the assumption that not only for individuals but for generations, and in the long-run of human history, Christian morality, or the morality which has hitherto been considered Christian, can be separated from Christian dogma, and can permanently survive its abandonment.

I wish to place on record my conviction that belief cannot now be defended by reticence, any more than by railing, or by any privileges and assumptions. Nor, again, can it be defended exclusively by its "standing army"—by priests and ministers of religion. To them, I do not doubt, will fall the chief share of the burden, and of the honour, and of the victory. But we commit a fatal error if we allow this to become a merely professional question. It is the affair of all.

It is very difficult in handling such controversies to avoid the tone of assumption and denunciation. I desire, therefore, once for all, to abjure all imputations against motives or characters. Equal credit for the love of truth should be allowed by all to all, and the endeavour made, or at least intended, to unite plain speaking with personal respect.

Yet this, though an obvious is not an easy duty; for it is impossible to view certain states of mind as other than the results of strong, though honest, self-delusion.

This duty of personal respect is especially due at a time, when the writers against Christian belief stand in a moral position so different from that of its principal French assailants during the last century. The combat is not now with the authors of the 'Pucelle' and the 'Confessions;' but with men who, though they believe less than Voltaire and Rousseau, yet either revere or sympathise more; who for the most part seek to avoid hard language; who commonly confess not only that Christianity has done good, but even that it may still confer at least some relative benefit before the day of perfect preparedness for its removal shall arrive, and even the most "advanced" of whom, like the author of the 'Martyrdom of Man,' appears to be touched by a lingering sentiment of tenderness, while he blows his trumpet for a final assault at once upon the "Syrian superstition," and on the poor, pale, and semi-animate substitutes for it, which Deism has devised.

## ADDRESS.

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*[Two passages enclosed within brackets were omitted in the delivery on account of time.]*

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MR. CHAIRMAN, LADIES AND GENTLEMEN, AND MY YOUNGER FRIENDS;

Thirty years have passed away since, in consequence of the accidental disability of a worthier person, I was called upon to deliver the Inaugural Address at the opening of this Institution. In other words, the College has now lived through one generation of men.

At the close of such a term, we may suitably look back, to ascertain how far it has fulfilled or disappointed the expectations of its founders. And first I will refer to the hope they entertained, that they would be able to secure for the government of the Institution the services of a series of learned, able, and earnest men. This expectation, I venture to say, has been amply realised in the persons of Mr. Conybeare, of your old friend now present, Dean Howson, and of Mr. Butler.

Further, it was to be an institution having religion for its centre and its base; and that religion was to be the religion of the Church of England. That the national Church is not in less esteem now than it was then with the nation, the immense increase, alike of her fabrics and her ministrations, may sufficiently show. That those who guide the fortunes of this College do not desire to change the ground they have occupied from the first, can

need no proof on an occasion, when I know from the Principal how much it is desired by them to erect a Chapel within the precincts, in order to the more solemn and effectual celebration of the offices of religion.

But it was also a part of the design, that with religious teaching should be combined the practice of religious liberty; that no compulsory lessons or observances should be imposed, to hinder the enjoyment by the entire youth of Liverpool of the general advantages of the College. How has this portion of the scheme been found to fare? The kindness of your old, respected, and indefatigable Secretary enables me to answer the question. From him I learn that no religious difficulty has impeded the working of the plan; that among the pupils of the College, comprehensive with respect to nationality as well as to communion, there were found a short time back, upon inquiries, Unitarians, Wesleyans, Baptists, Roman Catholics, members of the Greek Church, Presbyterians, and Jews; and that, of the whole number of pupils in the three schools of the College, not less than one-fourth were of religious professions distinct from our own.

Nor have the promoters of the College been disappointed in their hope to furnish the people of Liverpool with easy access to the higher forms of education at their own doors, and to strengthen and enlarge their connection with the old Universities of the land. The seven hundred pupils on its books afford ample proof of the favour of the community; and the number of able men whom it has sent to those Universities indicates the wish of Liverpool to secure for its sons the advantages of what has been commonly termed the higher education.

[There is, however, some difference among us as to the question, what really is the higher education? There are those who think not only that our old methods of



training the young were too exclusive, but that they were fundamentally bad; who would supplant entirely, or expel from the first place in education, the study of man in its various branches, and would substitute for it the study of Nature as it exists otherwise than in man: and again who, in so much as they would admit of the human studies into the course of education, would put aside the ancient for the modern, whether in philosophy, history, or language. The great faults, as I believe, of the ancient educational studies of this country were—first, that they were too narrow; and secondly, that they were too uniform, and did not take heed enough of varieties both of condition and of mind. The consequence was, in the very best men, frequent ignorance of what every cultivated person ought to know; and in all who were unequal to the favoured studies, or whose turn lay in another direction, a great waste of time with little fruit, if not even a confirmed habit of idleness. Therefore it is to be admitted that much wrong was done to the natural sciences. But that wrong is not to be redressed by giving them prospectively more than their due. Such notwithstanding appears to be the desire of some of their professors; and it has been indicated by a practice of claiming for them, in a pre-eminent or even an exclusive sense, the name of science. So that a man who observes and reasons upon plants or animals, the constituent parts of the globe, or of the celestial system, is a man of science; but to observe and reason upon history, upon philosophy in its older sense, or upon theology, establishes no such title, though the very same process of collecting and digesting facts, and of drawing inferences from them, is pursued in the one case and in the other; and though it seems sufficiently absurd to hold that there is a science of the human body, but that there can be no science of the mind or soul. This can surely be no better than a mere fashion of the

hour, and with the hour it must pass away. It is the incidental excess of a reforming movement, and we may hope that while the excess will disappear the reform will remain. Were it, from a mere caprice, to harden into an accepted doctrine, I see not in what it could end, except in a pure materialism.]

But, gentlemen, while freely admitting that what may be termed utilitarian studies were in my early days too much overlooked, that the knowledge of the material universe was sadly neglected, that to many minds only such food was offered as they were wholly unable to digest, and that the upshot was a lamentable waste of power, I claim for the old method of our public schools and colleges that it had merits and advantages, for the loss of which no parade of universality, no increase of mere information, could possibly compensate. It taught with that rigid accuracy, which is the foundation of all really solid learning. It held thoroughness in a few things to be better than show in many. It enthroned in the seat of honour the most masculine studies. I have now passed forty years of life upon an arena of competition as sharp as is to be found anywhere in the world. I have seen all forms of training, practical as well as other, pretty fairly matched with one another; and all descriptions of men, with every variety of natural gifts, bringing up as it were the results of their various modes of education to be tested. The best mode has to struggle with the defects of nature, and the worst will not wholly neutralise her bounties. Here and there, again, you may find a man whose self-training power can dispense with all appliances from without. But these are rare instances indeed.

“Pauci, . . .  
Dis geniti, potuere.”\*

I speak, however, not of the one but of the million ; and, as among the million, I affirm that there is no training for the conflicts and the toils of life, so far as I have seen, which does greater justice to the receiver of it than the old training of the English public schools and universities. I speak of my own experience and observation, in the sphere in which I have lived ; but probably there are few spheres, though I will not say there are none, in which the whole making of a man is more severely tried. And that my testimony, which is of course limited, may at least be definite, I will add that I speak of such training as it was at Oxford, more, I am sorry to say, than forty years ago.

All this must be a paradox and a stumbling-block to such as think, that the sole or main purpose of education is to stock the mind with knowledge as a shop is stocked with goods, and that the wants of life are to be met like the wants of customers. And doubtless one of the purposes of education is thus to furnish materials for future employment ; but this is its lower, not its higher purpose. The shop takes no benefit, though it may take damage, from the wares which it receives ; but the greatest and best use of the information, which is imported into the mind, is to improve the mind itself. A more instructive comparison may be drawn between education and food. As the main purpose of food is to make the body strong and active, so the main purpose of education is to make the mind solid, elastic, and capable of enduring wear and tear. The studies which are most useful, so far as utility is external to the mind, though they are on that account the most popular, and though they are indispensable,—such, I mean, as reading, writing, arithmetic, modern languages, or geography,—are those which do, not most but least, for our intellectual and moral training. The studies which have it for their main object to act on the composition and capacity of the man,

will, to such as follow them with their whole heart, be found to yield a richer harvest, though the seed may be longer in the ground. Yet I fully admit that the test of a good education is neither abstract nor inflexible. Such an education must take account both of the capacity of the pupil and of the possibilities of his future calling. All I would plead for is, that where there is a choice, the highest shall be preferred. In the words of our most famous living poet—

“It was our duty to have loved the highest;”\*

And our duty it must ever remain.

In this institution I trust the prerogatives of “the highest” will always be admitted; and around it there will be marshalled, each in its due order and degree, the numerous and ever multiplying studies, of which every one has an undoubted title to honour in its tendency to embellish or improve the life of man.

But indeed there is much to be said and done about education, besides determining the relative claims, or, as it would now be called, the due co-ordination, of the different kinds of knowledge. Quite apart from these claims, much, my younger friends, and more than you can as yet perhaps fully understand, depends upon the spirit in which those kinds of knowledge are pursued. And this again depends, not upon the incidental advantages of birth or wealth, but upon ourselves. The favours of fortune have both their value and their charm; but there is in a man himself, if he will but open out and cultivate his manhood, that which will be found amply sufficient to supply their place.

Now, as to this important subject, the spirit in which we pursue education, the degree in which we turn our advantages to account, I must say of us here in England that we do not

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\* Tennyson's ‘Guinevere.’

stand well. Our old Universities, and the schools above the rank of primary, have as a class the most magnificent endowments in the world. I am well aware that this institution is far indeed from being open to such a reproach. It may, however, be doubted whether the amount of these endowments, in England alone, is not equal to their amount on the whole continent of Europe taken together. Matters have mended, and are, I hope, mending. We have good and thorough workers, but not enough of them. The results may be good as far as they go ; but they do not go far. But in truth this "beggarly return," not of empty but of ill-filled boxes, is but one among many indications of a wide-spread vice ; a scepticism in the public mind, of old as well as young, respecting the value of learning and of culture, and a consequent slackness in seeking their attainment. We seem to be spoiled by the very facility and abundance of the opportunities around us. We do not in this matter stand well, as compared with the men of the middle ages, on whom we are too ready to look down. For then, when scholarships and exhibitions, and fellowships and headships, were few, and even before they were known, and long centuries before tripuses and classes had been invented, the beauty and the power of Knowledge filled the hearts of men with love, and they went in quest of her, even from distant lands, with ardent devotion, like pilgrims to a favoured shrine.

Again, we do not stand well as compared with Scotland, where, at least, the advantages of education are well understood, and though its honours and rewards are much fewer, yet self-denying labour, and unsparing energy in pursuit of knowledge, are far more common than with us. And once more, we do not stand well as compared with Germany ; where, with means so much more slender as to be quite out of comparison with ours, the results are so much more abundant, that, in the ulterior prosecution of almost every

branch of inquiry, it is to Germany, and the works of the Germans, that the British student must look for assistance. Yet I doubt if it can be said with truth that the German is superior to the Englishman in natural gifts; or that he has greater or even equal perseverance, provided only the Englishman had his heart in the matter. But Germany has two marked advantages: a far greater number of her educated class are really in earnest about their education; and they have not yet learned, as we, I fear, have learned, to undervalue, or even in a great measure to despise, simplicity of life.

Our honours, and our prizes, and our competitive examinations, what for the most part are they, but palliatives applied to neutralise a degenerate indifference, to the existence of which they have been the most conclusive witness? Far be it from me to decry them, or to seek to do away with them. In my own sphere, I have laboured to extend them. They are, however, the medicines of our infirmity, not the ornaments of our health. They supply from without inducements to seek knowledge, which ought to be its own reward. They do something to expel the corroding pest of idleness, that special temptation to a wealthy country, that deadly enemy in all countries to the body and the soul of man. They get us over the first and most difficult stages in the formation of habits, which, in a proportion of cases at least, we may hope will endure, and become in course of time self-acting.

One other claim I must make on behalf of examinations. It is easy to point out their inherent imperfections. Plenty of critics are ready to do this; for in the case of first employments under the State, they are the only tolerably efficient safeguard against gross abuses, and such abuses are never without friends. But from really searching and strong examinations, such as the best of those in our Universities and schools,

there arises at least one great mental benefit, difficult of attainment by any other means. In early youth, while the mind is still naturally supple and elastic, they teach the practice, and they give the power, of concentrating all its force, all its resources, at a given time, upon a given point. What a pitched battle is to the commander of an army, a strong examination is to an earnest student. All his faculties, all his attainments must be on the alert, and wait the word of command ; method is tested at the same time with strength ; and over the whole movement presence of mind must preside. If, in the course of his after life, he chances to be called to great and concentrated efforts, he will look back with gratitude to those examinations, which more perhaps than any other instrument may have taught him how to make them.

General remissness, gentlemen, is not the besetting sin of our great town communities ; least among them all of Liverpool. Nowhere is the pedestrian's pace more rapid than in her streets ; nowhere is his countenance more charged with purpose. We live, gentlemen, in a wealth-making age. It may surprise you to hear, but I believe it to be unquestionably true, that more wealth has, in this little island of ours, been accumulated since the commencement of the present century—that is, within the lifetime of many who are still among us—than in all the preceding ages from the time, say, of Julius Cæsar ; or any other more remote date you please. And, again, at least as much of this wealth has been stored within the last twenty years, as in the preceding fifty. Liverpool has had even more than her share in this great, this almost portentous activity. Since I knew her, she has scooped four miles of solitary shore into teeming docks ; and I am now told she is about to add other miles to these. Fed by the mere overflow of her wealth and energy, the little hamlets that faced her in Cheshire have grown into great and vigorous town districts, larger, I believe, in population than she her-

self was at the commencement of the century. Her opulence, I think, has grown in still greater proportion than her numbers. If we ask, Where is this to end? when will this marvellous process be arrested? when will this great flood-tide begin to ebb? I, for one, know not; I am by no means sure that we are as yet even near high-water. But with the impetuosity of this galloping career, with the wonderful development of such arts of life as bear directly upon enjoyment, there grows up continually a correlative amount of dangers and temptations.

“The world is too much with us; late and soon,  
Getting and spending, we lay waste our powers.”\*

So it is. The world, in truth, becomes more worldly. It ties us down to earth by more and stronger cords, and to break them requires bolder and more assiduous effort. If we wish to secure our freedom against the perils that environ it, this is not to be done by renouncing business, or by abating energy in its pursuit; it is by balancing that activity with other activities. Yes, it may be replied, we ought to live in the world unseen, as well as in the world we see. And that is doubtless true; and for many, whose opportunities are small, it is sufficient; but for this great community, whose opportunities are large, though true, it is not the whole truth. The entire nature of man is the garden, which is given him to cultivate. We cannot, as a nation or as individuals, be well if we do not provide for the soul as well as the body. But neither can we be well if we do not, according to our means, provide for the mind as well as the soul. That is the principle enshrined and represented in this institution, as it is in every ancient university and college, and as it must be in every institution which aspires

\* Wordsworth's 'Miscellaneous Sonnets,' No. 23.



to superintend anything that deserves the name of the higher education.

And why should not Liverpool, why should not commerce, afford a field favourable to art, literature, and science, as much as to philanthropy and religion? Half a century ago, the name of this town stood high with respect to mental cultivation. There is nothing in the pursuit of the merchant that ought to preclude the pursuit of mental refinement. The day's work is not so long, nor the anxiety so constant, as to wear out the whole stock of energy that a vigorous English nature can command. In Greece, the State which took its place at the head of literature and philosophy and art was noted for its encouragement of trade. "The best products of Sicily and Italy, of Cyprus and Egypt, of Lydia and Pontus, and every other country, flowed," says Xenophon,\* "into the markets of Athens, which ruled the sea." "Hither," says Thucydides,† "come all the products of all the earth;" and Pericles and Alcibiades‡ were not ashamed of superintending extensive manufactories which they owned.

In Florence, the true Athens of modern times, many of the nobles were among the most conspicuous merchants.§ And when Holland took the place of Italy at the head of the commerce of Europe, Art and Science walked in the noble train of Liberty, and the University of Leyden, founded in memory of the heroic efforts of the citizens, took its place, even in that little country, among the very foremost of the universities of Christendom.|| We now speak with deserved respect and gratitude of the learned labours of Germany: but those who observe the German names, and the German

\* Xenophon, 'De Rep. Ath.' ii. 7.

† Thuc. ii. 33.

‡ Boeckh, 'Public Economy of Athens,' ii. 63 (Trans. London, 1828).  
See also St. John, 'Manners and Customs of Ancient Greece,' iii. 276.

§ Hallam's 'Middle Ages' (8th edit.), vol. i. p. 285.

|| Motley's 'United Netherlands,' vol. iv. ch. liii. p. 526, ed. 1869.

firms, which have established themselves in the commercial communities of England, will readily understand that no country is making advances more marked than theirs in the paths of enterprise.

If then, as I am persuaded, there are among you, my younger friends, those who, though destined to the pursuits which have made this great emporium famous, have in tasting of the cup of knowledge acquired the desire for longer and for deeper draughts; if any of you can say with Virgil of his Muses,

“Quarum sacra fero ingenti percussus amore,”\*

there is no reason why he should be discouraged; no reason why he should regard the beginning of business as the end of culture; but let him rather resolve that, though it be but in fragments of his time, he will woo his studies with a lifelong love.

And now forgive me if, using the melancholy privilege of age, and addressing a few words especially to you who are still so young, I seem to assume that in youth you may learn more readily from others some lessons, which you would acquire at greater cost and more slowly for yourselves. To each and all I would say, that God has sent no one of you into the world without a work ready for him to do, and facilities wherewith to do it. What this work is, reflection, or parental guidance, or a kind of instinct, may have told you. If it has not yet been discovered, you have only to follow this one rule: Do your best; try to make the most of all your faculties; “Whatsoever thy hand findeth to do,” says the wise man,† and in like manner, whatsoever thy mind findeth to do, “do it with thy might.” You would with justice think meanly of a boy who did not at cricket, or football, or any other sport, try with all his heart to win, or

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\* Virg. ‘Georgics,’ ii. 476.

† Eccles. ix. 10.

do his part towards winning. Is there not something wrong, I would almost say something base, in our standard of action, of which bone and muscle are thus developed, and most properly developed, to the uttermost, if the mind is allowed to wither and to dwindle for want of manly exercise?

You, who have successfully shown your disposition to excel, I congratulate you on your success. But that success would be a misfortune and a snare to you, if you rested in it; if, to use a homely expression, you went to sleep upon it. It is like the meal which the traveller enjoys upon his way, but the purpose of which is to strengthen him for his further journey. The prize is good, but the efforts which are made to gain the prize are far better. What is most valuable in these competitions, then, the defeated share with the conquerors, nay further yet, one defeated after a hard and bracing struggle gains more in the true work of education, the strengthening of his mind, than some easy winner who canters in without serious exertion. And such defeat, in a mind of true British temper, only strengthens the resolution, which never in the long-run fails, to try yet more manfully next time.

For, do what you will, your life, because it is a human life, will be, and that in many ways, a trial.

"So it is willed above, where will is power."\*

And this world-old truth seems, as the world grows older, to grow more vividly and pointedly true, with the ever-growing strain and noise, and haste and waste, of life; a trial which cannot be escaped by flying from it, but which may be conquered by facing it.

On an occasion like this, I should not have desired, even before those of you, my younger friends, who are on the very threshold of active and responsible manhood, to dwell in a

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\* From Dante, 'Inferno,' iii. 95.

marked manner on the particular trials you will have to encounter. But the incidents of the time are no common incidents; and there is one among them so obtrusive, that youth cannot long enjoy its natural privilege of unacquaintance with the mischief, and so formidable, that it really requires to be forewarned against the danger. I refer to the extraordinary and boastful manifestation, in this age of ours, and especially perhaps in the year which is about to close, of the extremest forms of unbelief.

I am not about to touch upon the differences which distinguish, and partially sever, the Church of England from those communions by which it is surrounded; whether they be of Protestant Nonconformists, or of those who have recently incorporated into the Christian faith what we must suppose they think a bulwark and not a danger to religion, the doctrine of Papal infallibility. For handling controversies of such a class this is not the time, I am not the person, and my office is not the proper office. It is not now only the Christian Church, or only the Holy Scripture, or only Christianity, which is attacked. The disposition is boldly proclaimed to deal alike with root and branch, and to snap utterly the ties which, under the still venerable name of Religion, unite man with the unseen world, and lighten the struggles and the woes of life by the hope of a better land.

[These things are done as the professed results, and the newest triumphs, of Modern Thought and Modern Science; but I believe that neither Science nor Thought is responsible, any more than Liberty is responsible, for the misdeeds committed in their names. Upon the ground of what is termed evolution, God is relieved of the labour of creation; in the name of unchangeable laws, He is discharged from governing the world; and His function of judgment is also dispensed with, as justice and benevolence are held to forbid that men should hereafter be called to strict account for actions.

which under these unchangeable laws they may have committed. But these are only the initial stages of the process. Next, we are introduced to the doctrine of the Absolute and the Unconditioned ; and, under the authority of these phrases (to which, and many other phrases, in their proper places, I have no objection) we are instructed that we can know nothing about God, and therefore can have no practical relations with Him. One writer, or, as it is now termed thinker, announces with pleasure that he has found the means of reconciling Religion and Science. The mode is in principle most equitable. He divides the field of thought between them. To Science he awards all that of which we know, or may know, something ; to Religion he leaves a far wider domain,—that of which we know, and can know, nothing.\* This sounds like jest, but it is melancholy earnest ; and I doubt whether any such noxious crop has been gathered in such rank abundance from the press of England in any former year of our literary history as in this present year of our redemption, eighteen hundred and seventy-two.]

I will not, on this occasion, pain and weary you with a multitude of details. I will only refer by name to one who is not a British writer—to the learned German, Dr. Strauss. He is a man of far wider fame than any British writer who marches under the same banner ; and I mention him with the respect which is justly due, not only to his ability, but to the straightforward earnestness, and to the fairness and mildness towards antagonists in argument, with which, so far as I have had the opportunity of judging him from his present or former works, he pursues his ill-starred and hopeless enterprise.

He has published, during the present year, a volume entitled ‘The Old Belief and the New.’† In his Intro-

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\* See Illustrative Passages, A.

† ‘Der alte und der neue Glaube : ein Bekenntniss.’ Von David Friedrich Strauss. 2te Auflage. Leipzig, 1872.

duction, he frankly raises the question whether, considering the progress which culture has now made, there is any longer occasion to maintain religious worship\* in any form whatever. Why, he asks, on behalf of a party in Germany, for which he speaks, and for which he claims that it answers most fully to the state of Modern Thought, should there be a separate religious society at all, when we have already provision made for all men in the State, the School, Science, and Fine Art? In his First Chapter he puts the question, "Are we still Christians?"† and, after a detailed examination, he concludes,—always speaking on behalf of Modern Thought,—that if we wish our yea to be yea and our nay nay,—if we are to think and speak our thoughts as honourable upright men, we must reply that we are Christians no longer.‡ This question and answer, however, he observes are insufficient. The essential and fundamental inquiry is, whether we are or are not still to have a Religion? §

To this inquiry he devotes his Second Chapter. In this Second Chapter, he finds that there is no personal God;|| there is no future state: the dead live in the recollection of survivors: this is enough for them.¶ After this he has little difficulty in answering the question he has put. All religious worship ought to be abolished.\*\* The very name of "Divine Service" is an indignity to man. Therefore, in the sense in which religion has been heretofore understood, his answer is that we ought to have no religion any more. But proceeding, as he always does, with commendable frankness, he admits that he ought to fill with something the void which he has made. This he accordingly proceeds to do. Instead of God, he offers to us the All, or Universum.†† This All or Universum possesses, he tells us, neither consciousness

\* P. 7.

† P. 12 and chap. i.

‡ P. 94.

§ Chap. ii. p. 95.

|| See Illustrative Passages, B.

¶ P. 372.

\*\* P. 144.

†† P. 116.

nor reason. But it presents to us order and law. He thinks it fitted, therefore, to be the object of a new and true piety, which he claims for his *Universum*, as the devout of the old style did for their God. If any one repudiates this doctrine, to Dr. Strauss's reason, the repudiation is absurdity, and to his feelings blasphemy.\*

These are not the ravings of a maniac; nor are they the mere dreams of an imaginative high-wrought enthusiast such as Comte† appears to have been; they are the grave conclusions, after elaborate reasoning, of a learned, a calm, and, so far as form is concerned, a sober-minded man, who in this very year has been commended to us, in England, by another Apostle of Modern Thought as one of the men to whose guidance we ought, if we are wise, to submit ourselves in matter of religious belief.‡

I would not, gentlemen, even if I had the capacity and the time, make an attempt from this place to confute these astonishing assertions; for I have no fear that by their exhibition they will beguile or attract you. Neither do I search for the hard names of controversy to describe them; for they best describe themselves. Neither can I profess to feel an unmixed regret at their being forced, thus eagerly and thus early, into notice; because it is to be hoped that they will cause a shock and a reaction, and will compel many, who may have too lightly valued the inheritance so dearly bought for them, and may have entered upon dangerous paths, to consider, while there is yet time, whither those paths will lead them. In no part of his writings, perhaps, has Strauss been so effective, as where he assails the inconsistency of those who adopt his premises, but decline to follow him to their conclusions. Suffice it

\* P. 146.

† Illustrative Passages, C.

‡ Willis's 'Life of Spinoza,' p. 26, note. See Illustrative Passages, D.

to say, these opinions are by no means a merely German brood;\* there are many writers of kindred sympathies in England, and some of as outspoken courage. But, in preparing yourselves for the combat of life, I beg you to take this also into your account, that the spirit of denial is abroad, and that it has challenged all Religion, but especially the Religion we profess, to the combat of life and death.

But I venture to offer you a few suggestions, in the hope that they may not be wholly without their use.

You will hear in your after-life much of the duty and delight of following free thought; and in truth the man, who does not value the freedom of his thoughts, deserves to be described as Homer describes the slave; he is but half a man.† Saint Paul, I suppose, was a teacher of free thought, when he bade his converts to prove all things;‡ but it seems he went terribly astray when he proceeded to bid them “hold fast that which is good;” for he evidently assumed that there was something by which they could hold fast. And so he bade Timothy keep that which was committed to his charge;§ and another Apostle has instructed us to “earnestly contend for the faith which was once delivered unto the saints.”|| But the free thought, of which we now hear so much, seems too often to mean thought roving and vagrant more than free; like Delos, in the ancient legend, drifting on the seas of Greece, without a root, a direction, or a home.

Again, you will hear incessantly of the advancement of the present age, and of the backwardness of those which have gone before it. And truly it has been a wonderful age; but let us not exaggerate. It has been, and it is, an age of immense mental, as well as material activity; it

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\* See Illustrative Passages, B.    † Odyss. x. 322.    ‡ 1 Thess. v. 21.  
       § 1 Tim. vi. 20.                      || Jude 3.



is by no means an age abounding in minds of the first order, in those whom time establishes as the great immortal guides and teachers of mankind. It has tapped, as it were, and made disposable for man, vast natural forces; but the mental power employed is not to be measured by the mere size of the results. To perfect that wonder of travel, the locomotive, has perhaps not required the expenditure of more mental strength and application, than to perfect that wonder of music, the violin. In the material sphere, the achievements of the age are splendid and unmixed. In the social sphere, they are great and noble; but seem ever to be confronted by a succession of new problems, which almost defy solution. In the sphere of pure intellect, I doubt whether posterity will rate us as highly as we rate ourselves. But that which I most wish to observe is this, that it is an insufferable arrogance in the men of any age to assume what I may call airs of unmeasured superiority over former ages. God, who cares for us, cared for them also. In the goods of this world we may advance by strides; but it is by steps only and not strides, and by slow and not always steady steps, that all durable improvement of man, in the higher ranges of his being, is alone to be effected.

Again, my friends, you will hear much to the effect that the divisions among Christians render it impossible to say what Christianity is, and so destroy all certainty as to what is the true religion. But if the divisions among Christians are remarkable, not less so is their unity in the greatest doctrines that they hold. Well-nigh fifteen hundred years—years of a more sustained activity than the world had ever before seen—have passed away, since the great controversies concerning the Deity and the Person of the Redeemer were, after a long agony, determined. As before that time in a manner less defined, but adequate for their day, so ever since that time, amid all chance and change, more, aye

many more, than ninety-nine in every hundred Christians have with one voice confessed the Deity and Incarnation of our Lord as the cardinal and central truths of our Religion. Surely there is some comfort here, some sense of brotherhood; some glory due to the past, some hope for the times that are to come.

On one, and only one, more of the favourite fallacies of the day I will yet presume to touch. It is the opinion and the boast of some that man is not responsible for his belief. Lord Brougham was at one time stated to have given utterance to this opinion. Whether truly, I do not remember; but this I know, it was my privilege to hear from his own lips the needful and due limitation of that proposition. "Man," he said, "is not responsible to man for his belief." But as before God, one and the same law applies to opinions and to acts; or rather to inward and to outward acts; for opinions are inward acts. Many a wrong opinion may be guiltless because formed in ignorance, and because that ignorance may not be our fault. But who shall presume to say that there is no mercy for wrong actions also, when they, too, have been due to ignorance, and that ignorance has not been guilty? The question is not whether judgments and actions are in the same *degree* influenced by the condition of the moral motives.\* It is a question of the principle, on which judgment is to be based.

If it is undeniable that self-love and passion have an influence upon both, then, so far as that influence goes, for both we must be prepared to answer. Should we, in common life, ask a body of swindlers for an opinion upon swindling? or of gamblers for an opinion upon gambling? or of misers upon bounty? And if, in matters of religion, we allow pride and perverseness to raise a cloud between us and the truth

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\* See Illustrative Passages, F.

so that we see it not, the false opinion that we form is but the index of that perverseness and that pride, and both for them, and for it as their offspring, we shall be justly held responsible. Who may be the persons, upon whom this responsibility will fall, it is not ours to judge. These laws are given to us, not to apply presumptuously to others; it is enough if we enforce them honestly against ourselves.

Next to a Christian life, my friends, you will find your best defence against reckless novelty of speculation in sobriety of temper, and in sound intellectual habits. Be slow to stir inquiries, which you do not mean patiently to pursue to their proper end. Be not afraid oftentimes to suspend your judgment; or to feel and admit to yourselves how narrow are the bounds of knowledge. Do not too readily assume that to us have been opened royal roads to truth, which were heretofore hidden from the whole family of man; for the opening of such roads would not be so much in favour, as caprice. If it is bad to yield a blind submission to authority, it is not less an error to deny to it its reasonable weight. Eschewing a servile adherence to the past, regard it with reverence and gratitude; and accept its accumulations, alike in the inward and in the outward spheres, as the patrimony, which it is your part in life both to preserve and to improve.

A vote of thanks to Mr. Gladstone for the Address having been carried,

Mr. GLADSTONE, in reply, said:—Mr. Chairman, Ladies and Gentlemen, and my Friends of the College, I acknowledge with sincere gratitude the thanks you have been good enough to offer in a manner so pleasing to me; and I feel that they derive an additional value, not only from the kind remarks of the chairman, and his reference to former times, but also from the circumstance that the proposal was seconded by one

whose name stands so high upon the roll of the benefactors of this institution as our respected friend the Dean of Chester. I can truly declare, gentlemen, that when the Principal was good enough to propose to me that I should undertake this office, I did not look upon it as a matter of mere compliment or ceremony, but as one of very serious duty; and in that light it is that I have approached it, and have endeavoured to perform it. Further, I must say that it is always a source of pleasure to me to be called upon to perform, or to feel myself able to perform—which is not always the case—some act of public duty in Liverpool. I find cause for gratification in everything which refreshes my memory of the place, and strengthens my connection with it. It is not unnatural that I should feel a strong interest in Liverpool, where I have continually before me the recollection of my father, and where I also rejoice to know the presence of my Brother; nor is there any portion of the proceedings of this day which is more gratifying to my feelings than the manner in which reference has been made to my Brother, and the warmth of feeling with which that reference has been received. I trust that the connection between Liverpool and our family will long continue. Liverpool is, after all, but a very young place, when considered as the seat of a great community; but I see here some whose names have been well known in its history almost ever since it began to have one; and I hope that, as time goes on, Liverpool will have its old families like other places, famous for commerce in other times and countries, and like other districts of this country now. I know not why commerce in England should not have its old families, rejoicing to be connected with commerce from generation to generation. It has been so in other countries: I trust it will be so in this country. I think it a subject of sorrow, and almost a scandal, when those families, which have either acquired or

recovered station and opulence through commerce turn their backs upon it, and seem to be ashamed of it. It certainly is not so with my Brother or with me. His sons are treading in his steps, and one of my sons, I rejoice to say, is treading in the steps of my Father and my Brother. I hope, therefore, gentlemen, you will see that we are not unfaithful to the cause, and to the place with which we have been so long familiar. In the task I have discharged to-day, I have not studied the arts of flattery. I have endeavoured to practise that plain speaking which I know is dear to Englishmen, and I trust it will be given to many of you whom I see now before me upon the threshold of their life, to become an ornament and an honour to this place, and to give a good practical demonstration to the world that the pursuit of commerce and the interests of human cultivation are not alien from one another, but are, on the contrary, harmoniously allied. (Loud applause.)



## ILLUSTRATIVE PASSAGES.

A.—p. 23.

## RELIGION AND SCIENCE.

My reference is to Mr. Herbert Spencer. See his 'First Principles,' and especially the chapter on the "Reconciliation of Science and Religion." It is needless to cite particular passages. It would be difficult to mistake its meaning; for it is written with great ability and clearness, as well as with every indication of sincerity. Still it vividly recalls to mind an old story of the man who, wishing to be rid of one who was in his house, said, "Sir, there are two sides to my house, and we will divide them; you shall take the outside."

I believe Mr. Spencer has been described in one of our daily journals as the first thinker of the age.

B.—p. 24.

## THE RECENT WORK OF DR. STRAUSS.

These passages are given as specimens of the work of Dr. Strauss, rather than as supplying the body of proof of the propositions set forth in the text of the Address; and I would remind the reader that Dr. Strauss may protest against being bound by a rendering into another language for which he is not responsible, although I do not think any defects in the translation will be found to affect the substance.

The "We" of Dr. Strauss in this work is not according to the common editorial use of the pronoun, but is meant, as I understand it, to mark the work throughout as the manifesto of a party.

## I.

## THE RESURRECTION.

“Seldom has an incredible occurrence been worse testified; never has one ill testified been intrinsically more incredible. I have, in my ‘Life of Jesus,’ appropriated to this subject a searching scrutiny, which I will not here repeat. The upshot of it alone I hold it to be my duty, as well as my right, to declare without any sort of reserve. Viewed historically, that is to say, when the prodigious results of this belief are taken together with its total want of foundation, the narrative of the Resurrection of Jesus can only be described as a world-wide humbug (*welthistorischer Humbug*).”—p. 79.

## II.

## RELIGIOUS WORSHIP.

“Why is it, then, that we ought to have no worship in future? Because we have broken loose from the other constituent part of Religion, which is also the untrue and, in relation to the sentiment of independence, the more ignoble part of it—namely, the desire and the idea that, through our worship, we may be enabled to extract something from our God. We need only take the expression ‘Divine Service,’ and acquire a perception of the grovelling anthropopathism it involves, in order to perceive how and for what reason anything of that kind is no longer admissible from our point of view.”—p. 144.

## III.

## PIETY TOWARDS THE UNIVERSUM.

“We have been seeking to determine, whether our point of view, from which the law-governed All, full of life and intelligence, is the summit of thought (*die höchste Idee*), can still be called a religious point of view: and we have animadverted upon Schopenhauer, who loses no opportunity of



flying in the face of this which is our Idea. As I have said, such outbreaks impress our understanding as absurdities ; to our feelings, they are blasphemies. It appears to us rash and reckless, on the part of a mere human individual, so boldly to set himself up against the All, out of which he grows, and from which he has the morsel of intelligence that he misuses. We see in this an abnegation of that feeling of dependence, which we admit to belong to all men. We demand the same Piety towards our Universum, as the devout man of the old fashion did for his God.”—p. 146.

## IV.

## THE BIBLE.

“Men think they understand the Bible, because they are habituated to not understanding it. Moreover, the modern reader brings to it as much edifying force as he derives from it. Not even to mention books like the Revelation of John, and most of the Prophets of the Old Testament, surely it is not meant to say that Lessing’s ‘Nathan,’ or Goethe’s ‘Hermann und Dorothea,’ is harder to understand, or contains fewer “saving truths,” fewer golden sayings, than an Epistle of Paul, or a discourse of Christ according to John.”—p. 299.

## V.

## THE FUTURE STATE.

“As regards the substitute, which our view of things offers for the Church’s belief in immortality, the reader may perhaps expect from me a very lengthened explanation, but will have to content himself with a very short one. He who in this point cannot practise self-help, is not yet ready for our standing-point. He for whom, on the one hand, it is not enough to be allowed to vitalise within himself the everlasting ideas of the Universum, and of the course of development (*Entwicklungsgang*), and the destiny, appointed for

humanity; he who knows not how to create within himself, for the dead whom he loves and honours, a continuation of life and action in its finest form (*das schönste Fortleben und Fortwirken*); he in whom, together with exertion for his family, with labour in his calling, with contribution to the welfare of his nation, as well as to the good of his fellow-men at large, and with enjoyment of the Beautiful in Nature and Art—he, I say, in whom, with all this there does not on the other hand arise the consciousness, that he himself can only be called to be a temporary partner in it all; he who cannot prevail upon himself, finally, to bid his adieu to life with thankfulness for having been permitted for a time to act, to enjoy, and also to suffer in unison with all this, and at the same time with a devout sense of liberation from what, in the long-run is, after all, but exhausting day-labour; such a man, I say, we must remit to Moses and the Prophets; who, to boot, knew nothing of an immortal life, yet Moses and the Prophets still they were.”—p. 372.

(I have not ventured to tamper with the syntax of this passage.)

C.—p. 25.

#### THE SYSTEM OF COMTE.

Having given Comte credit for imagination, I must confess that, I did not suppose him to be of “imagination all compact,”\* but rather of imagination all diffuse. I had in view his width of sympathies and disposition to sympathise, his avowed regard for Veneration, his priesthood, his incorporation of the priestly vocation with the function of the poet, his calendar, and his woman-worship, as he has developed them in his ‘Catechism of Positivism’ [I refer to the English translation by Mr. Congreve], which he put forth as a sum-

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\* ‘Midsummer Night’s Dream,’ v. 1.

mary of his previously published volumes, and an anticipation of those which were to follow. (Preface, pp. 12, 37.) Strauss appears to me to be indebted, in a certain degree, to Comte, but to be rather shy of owning the acquaintance.

### D.—p. 25.

#### OUR RELIGIOUS GUIDES.

I quote this passage from Willis's 'Life of Spinoza,' p. 26, note:—

"An entirely truthful and authoritative interpretation of the Hebrew Scriptures is an imperative want of the age in which we live, and has now become the first condition required to enable the world to escape from the slough of superstition on the one hand, and irreligiousness on the other, in which it is helplessly sunk, and is sinking more and more deeply every day, despite the well-meant efforts of the pious laity and zealous ministry of all denominations. We have set *authoritative* beside *truthful* in the sentence above, for we are possessed of even more than one perfectly truthful and exhaustive, but of no authoritative interpretation of the Hebrew Scriptures and Greek Testament; neither can the world at large have any such, until the hierarchies of the Christian Churches agree to associate themselves with Spinoza, Semler, Lessing, De Wette, Ewald, Strauss, Baur, Kuenen, Keim, Renan, and Colenso—critics and scholars all, men of noble lives, clear heads, and pious souls, who, from the fulness of their hearts and depths of their understandings, have spoken to their fellow-men in terms which all might understand, but which ignorance, superstition, and false direction prevent them from apprehending in their inappreciable worth and importance. Authority would indeed seem indispensable to the mass of mankind; but no holy reunion of cultivated men for such a purpose is possible, unless it be based on acknowledgment of the common father-

hood of God, and recognise the revelation He makes of His being and attributes for all time, in no mere spoken words or written records, but in the mind of man, the order of the universe, and the great laws that, by His fiat, rule it necessarily, changelessly, and everlastingly."

E.—p. 26.

I have made a statement that these ideas are not a mere German brood ; though I fear that we owe much of their seed to Germany, as France owed to England the seed of her great Voltairian movement, so far as it was a movement grounded in the region of thought. This statement, as it is given in the text, I will support only by extracts from a single writer, Mr. Winwood Reade. They are taken from his 'Martyrdom of Man.' The three first bear upon creed. I quote the fourth, with reference to the last of the three inventions he desires and anticipates, as an instance of what seems to me a want of sobriety of mind, exhibited in a region where it will be better appreciated than if it bore directly upon matters of religion.

It would have been easy to quote from other writers. Perhaps, in sparing myself that task, I make the reference to Mr. Reade more invidious. But my purpose is information, not reproach. Happily we are not now as in the days of Edward VI., when Philpot, who had himself taken what were deemed considerable liberties with the established religion, spat in the face of an Arian, and defending himself in print, said : "I would I had a quantity of spittle to spattle on them."

I must add that Mr. Reade writes with an ability amply sufficient to defend him from wrong.

I.

"When the faith in a personal God is extinguished ; when prayer and praise are no longer to be heard ; when the

belief is universal that with the body dies the soul; then the false morals of theology will no longer lead the human mind astray."—"The Martyrdom of Man," p. 535.

## II.

"We teach that the soul is immortal; we teach that there is a future life; we teach that there is a Heaven in the ages far away; but not for us single corpuseles, not for us dots of animated jelly, but for the One of whom we are the elements, and who though we perish never dies."—p. 537.

## III.

"God is so great that He does not deign to have personal relations with us human atoms that are called men. Those who desire to worship their Creator must worship Him through mankind. Such, it is plain, is the scheme of Nature."—p. 537.

## IV.

"Three inventions, which perhaps may long be delayed, but which possibly are near at hand, will give to this overcrowded island the prosperous conditions of the United States. The first is the discovery of a motive force which will take the place of steam, with its cumbrous fuel of oil and coal; secondly, the invention of aerial locomotion, which will transport labour at a trifling cost of money and of time, to any part of the planet, and which, by annihilating distance, will speedily extinguish national distinctions; and thirdly, the manufacture of flesh and flour from the elements, by a chemical process in the laboratory similar to that which is now performed within the bodies of the animals and plants."—p. 513.

## F.—p. 28.

## AUTHORITY IN ITS RELATION TO REASON.

The general subject of Authority, and its place not as an antagonist of Reason, but as an instrument of Reason for the attainment of Truth, is very ably handled in the opening chapters of the work of Sir George C. Lewis, 'On the Influence of Authority in Matters of Opinion.'

Though I am not able to follow him in every one of his applications of the principle, I could wish his reasonings were better known to the world than, unfortunately, they can now be, from the extreme scarcity of the work.

He remarks, in p. 35, "It is commonly said that the belief is independent of the will," and that no man can change it "by merely wishing it to be otherwise." But "the operation of a personal interest may cause a man insensibly to adopt prejudices or partial and unexamined opinions." In p. 38 he adds, "Napoleon affords a striking instance of the corruption of the judgment in consequence of the misdirection of the moral sentiments."

# SPEECH

ON MOVING FOR LEAVE TO BRING IN A BILL  
RELATING TO

## UNIVERSITY EDUCATION

IN

## IRELAND.

By THE RIGHT HON. W. E. GLADSTONE, M.P.

FIRST LORD OF THE TREASURY.

LONDON:

JOHN MURRAY, ALBEMARLE STREET.

1873.

LONDON:  
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AND CHARING CROSS.



## IRISH UNIVERSITY EDUCATION.

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MR. GLADSTONE moved, pursuant to notice, that the orders of the day should be postponed until after the notice of motion relating to this subject.

The motion having been agreed to,

MR. GLADSTONE then moved that the paragraph in the Queen's Speech having reference to Irish University Education be read. This having been done by the Clerk at the table, the House, on the motion of the right hon. gentleman, resolved itself into Committee on the question, Mr. Bonham-Carter in the chair.

MR. GLADSTONE then rose, amid cheers, and said: Mr. Bonham-Carter,—I rise, Sir, for the third time since the formation of the present Government, to submit to the House in detail proposals respecting Irish affairs, in regard to which I say little in stating that they are vital to the honour and existence of the Government; but of which I may say also that which is of greater importance—that they are vital to the prosperity and welfare of Ireland. For even if we think that University education is a matter less directly connected with the peace and happiness of the country than others on which we have formerly been called upon more than once to proceed, it must be borne in mind that when we look into the far future the wellbeing of Ireland must in a great degree depend on the moral and intellectual culture of her people; and that in the promotion of that culture the efficiency of her Universities

cannot fail to be a most powerful and effectual instrument. There are, indeed, those who think, and those who say, that Ireland is a barren field on which to spend the efforts of Parliament, and that the more we endeavour to improve its condition the less return is made for our philanthropic labours. In that discouraging opinion the Government, however, do not concur. (*Cheers.*) The state of Ireland at the present moment does not deter us from asking Parliament steadily to prosecute that course on which it has long ago entered. I will not, when I have so much of necessary exposition before me, trouble the House with details on a subject that is only germane to the matter immediately in hand and that does not strictly belong to its essence; but I may say, with respect to the condition of Ireland, that industry is flourishing, and that according to all appearances—all well-known and ordinary appearances—the best description of wealth in that country, the wealth of the community at large, rapidly increases; that order is respected, that ordinary crime is less than in England; that agrarian crime has greatly diminished; and, as it has often been observed, and observed with truth, that when agrarian crime diminishes in Ireland, for the most part political and treasonable crime increases, I may state with thankful satisfaction that in 1871 treasonable offences in Ireland had sunk to the low number of seven only, and that in 1872 there was not one treasonable offence. (*Hear, hear.*)

I must again, as on former occasions, ask for the indulgence of the House, for I have to enter on a subject of great difficulty, great intricacy, and great complexity of detail; and it is only by means of that indulgence that I can hope in any degree to succeed in conveying to the mind of the House a clear conception either of the subject itself or of the intentions and proposals of the Government. There is another plea which, if it were needed, I would offer, but which I know is hardly needed—namely, the plea for that favourable and candid consideration which in 1869 and

The present  
condition of Ire-  
land encouraging.

1870 we so largely experienced; which enabled us at those epochs to encounter the difficulties we had then to meet, and which, I believe, will now again be granted, and will again enable us to encounter the difficulties with which we now have to deal.

There is, Sir, a subject of great importance, collateral to that immediately in hand, to which I will only refer for the sake of putting it aside; it is that which relates to the intermediate or proprietary schools in Ireland. It has lately been represented to me, with a singular and gratifying concurrence of opinion, from every quarter representing influence and intelligence in a particular county in Ireland—I mean the county of Limerick—that the greatest necessity exists for legislation with regard to the higher or preparatory schools of that country. I am quite sensible that is the case; but I am equally convinced that it is impossible for us advantageously to endeavour to mix legislation for the intermediate schools of Ireland with legislation in regard to her Universities. What I wish for the present to state is, our free admission that legislation with regard to its higher or preparatory schools, or, at least, the question how far it may be possible to legislate with regard to its schools, must arise as a necessary consequence of the legislation which Parliament may think fit to adopt with respect to the question of University education. I wish further to point out that the course which Parliament may take, and the principles which it may adopt for its own guidance, with respect to University education will be of the utmost advantage to any Government that may have to frame a measure with regard to the higher or preparatory schools of Ireland. Admitting, therefore, the importance, and even the urgency, of the subject, I trust I shall be favourably understood when I say that we think it absolutely necessary to keep it apart from the intricate and difficult question of University education with which we have at present to deal.

Intermediate  
Education in Ire-  
land.

Although hav-  
ing claims on the  
attention of Par-  
liament,

Must not be  
mixed up with  
the question of  
University Edu-  
cation.

Fear of Ultra-  
montane influ-  
ence.

Should not deter  
us from doing  
justice to our  
Roman Catholic  
fellow-subjects.

In approaching, Sir, the consideration of this question, it is impossible altogether to put out of view the flow of criticism with respect to the subject itself, and with respect to the intentions and conduct of the Government, which have for some time been almost incessantly brought under the public eye. We have heard much, Sir, of Ultramontane influence (*hear, hear*), and it may be well, therefore—that cheer is an additional reason why I should notice the point—to refer to it for a moment. I cannot wonder that apprehensions with respect to Ultramontane influence should enter into the minds of the British public whenever legislation affecting the position of the Roman Catholics in Ireland is projected; and we cannot, I think, be surprised that the influences which appear so forcibly to prevail within the Roman communion should be regarded by a very great portion of the people of this country with aversion, and by some portion of them even with unnecessary dread. It appears to us, however, that we have one course, and one course only to take, one decision, and one only to arrive at, with respect to our Roman Catholic fellow-subjects. Do we intend, or do we not intend, to extend to them the full benefit of civil equality on a footing exactly the same as that on which it is granted to members of other religions persuasions? (*Hear, hear.*) If we do not, the conclusion is a most grave one; but if the House be of opinion, as the Government are of opinion, that it is neither generous nor politic, whatever we may think of this ecclesiastical influence within the Roman Church, to draw distinctions in matters purely civil adverse to our Roman Catholic fellow-country-men—if we hold that opinion, let us hold it frankly and boldly; and, having determined to grant measures of equality as far as it may be in our power to do so, do not let us attempt to stint our action in that sense when we come to the execution of that which we have announced to be our design. (*Hear, hear.*)

But there really, as I shall explain, is no room for any

suspicion of either Ultramontane or any other influence with respect to the measure which I am now about to submit to the House. The truth is that circumstances entirely independent of our own will have precluded us from holding communications with any of the large bodies which may be said, as bodies, to be interested in Irish University education. The Governing Body of Trinity College, Dublin, have thought fit, in the exercise of their discretion—a discretion which they had a perfect right to exercise—to adopt a policy and to propose a plan of their own, or, at least, to associate themselves with the plan which was proposed in this House by the hon. member for Brighton, with the direct concurrence and sanction of one, perhaps of both, of the members of the Dublin University. That being so, it is obvious that it would not have been consistent with the respect which we owe to that learned body that we should have attempted to induce it by private persuasion to accept a plan of a different character, or that we should have entered into communications with it as to the nature of the proposal which we are about to lay before the House. Under these circumstances the principles of equal dealing prevented us from similar proceedings in any other quarter. Therefore, the door was shut in that direction by no act of ours, but by an act altogether independent of ourselves; and consequently it was plain that the best course for us to take was to look as well as we could to the general justice and equity of the course we felt ourselves called upon to pursue, to devise a plan founded upon our own matured convictions, to spare no labour in drawing up the details of that plan, and to forego altogether the advantage—an advantage often considerable—of holding communications beforehand with the various parties who were interested in the matter. Therefore, the measure I am about to submit to the House is a measure solely of the Government. It is a measure of the Government alone; our

The Govern-  
ment prepared  
their Scheme  
without holding  
communication  
with any of the  
religious bodies  
interested in it.

And the Go-  
vernment accord-  
ingly accept the  
entire 'responsi-  
bility.

responsibility for which is undivided, and our hopes of the acceptance of which are founded entirely upon what we trust will be found to be its equity and its justice. The provisions of the Bill have been drawn up without any disposition to shape them for the purpose of currying favour or of conciliating any irrational prejudice, or of enabling the Government to pursue any other course than that which the most enlightened patriotism and the objects we have in view must dictate to every honourable mind. (*Cheers.*)

Alternative  
plans suggested  
in various quar-  
ters.

I think it will be for the convenience of the Committee if I endeavour, in the first place, as briefly as possible, to put aside a variety of alternative plans with regard to which numerous critics, who apparently know a great deal more about our own intentions and desires than we do ourselves (*hear, hear, and a laugh*), have from time to time assured the public that the Government have determined to adopt. Not satisfied with a single revelation, these well-informed intelligencers, for fear the interest of their readers in the subject should flag, have perhaps in the following week-informed them that "the Government had deviated from the plan they announced last week, and have adopted another plan," the provisions of which they again proceed to announce. (*Cheers and laughter.*) Thus a lively interest in the question has been kept up. It was once said by an old poet that it was pleasant to stand on the seashore and to observe the mariner labouring on the sea, and it is often a source of amusement to public men engaged in preparing a measure of public importance to observe the floundering announcements with regard to it which from time to time are made by those who neither do nor can know anything about it. (*Hear, hear, and laughter.*)

Denominational  
Endowment.

The first of these suggested plans to which I need refer is that which is founded on denominational endowment. I need only say, with regard to this plan, that Her Majesty's

Government were precluded from adopting any scheme which involves denominational endowment by more than one conclusive objection. Denominational endowment, whether applied to a University or to a College in Ireland, would be in opposition to the uniform and explicit declarations which have been made, ever since this question assumed a new position six or seven years ago, by, I believe, every member of the Government, and, as I can safely assert, by myself. But it is not only the fact that denominational endowment is so contrary to our pledges that if it is to be adopted at all it must be by some other Administration than ourselves. Such pledges are of course in themselves conclusive; but there are other reasons which would compel us to refuse consideration to it, even if we were not bound by them. Were we free in the matter; and were the national convictions upon the subject less strong than I believe them to be, I confess I should think that the plan of denominational endowment in the circumstances in which Ireland is placed would be one unwise in principle to adopt. (*Hear, hear.*) I doubt whether it would be favourable to the true interests of academical learning. I likewise doubt whether it would not lead the Government into hopeless confusion by entailing upon it the performance of an impossible task. The immediate result of such a plan would be an interference of the State with the management of institutions now entirely free, and an attempt, for which the State would be quite unfit, to adjust as between different classes the balance of power within them. If we are to give the money of the public to institutions founded by particular religious persuasions for the advancement of their own views by means of academical education, we must take precautions with respect to the use of that money, and it would be a gross folly on the part of Parliament and of the Government were they to undertake to hold the balance between rival powers with the mutual relations of which they have nothing to do. (*Cheers.*)

Supplemental  
charter to Queen's  
University.

Next, Sir, there was the plan which was adopted in 1866 by the Government of that day, which included many of my present colleagues. This measure was founded upon the belief that the wants of Ireland with regard to University education might, in a great degree, be met by extending the basis of the Queen's University so far as to admit of extending the examination for degrees within its precincts to students from other colleges, of whatever religious denomination they might be, or of students who belonged to no college at all. But that plan has entirely broken down. In the first place, the reception it met with at the time was not such as to give us any encouragement to proceed with it; and, in the second place, a proposal that may have been equal to the circumstances of 1866 is not equal to those of 1873. The circumstances of Ireland have changed since 1866 with regard to this matter of public instruction, and therefore any idea of proposing a scheme of that nature has not been entertained by Her Majesty's Government for a single instant. (*Hear, hear.*)

Third Irish  
Y.

Another plan which has suggested itself to many minds is that of establishing a new University in Ireland by the side of the Dublin University and by the side of the Queen's University, which is also an University placed by its charter in the City of Dublin. Certainly such a plan had one recommendation in its favour—namely, that it would present to us the novelty of the existence of three Universities in one city. (*Hear, hear, and a laugh.*) I doubt very much whether, in any period of the history of the world, or, at any rate, whether at this moment anywhere in Europe, such a singular arrangement is to be found as would result from the adoption of such a plan; and I also doubt whether we should act for the advantage of ac-

aducal education were it to be adopted merely for the  
of political expediency, that is to say, for the relief  
of the Government and of the people in a moment of  
crisis, as this is not a pro-



posal that I could undertake to recommend to the House of Commons for their acceptance. I must further add with reference to this proposition that the three Universities to be established under it would scarcely have a fair start. The present University of Dublin, sustained by enormous property and powerful traditions; the Queen's University, with its means comparatively limited, and its constitution much more narrow; and the third University, hobbling and lagging behind the second as much as the second would behind the first—could scarcely be said to stand upon a footing conformable to justice. That would not be a state of things that would be regarded by any of us with great satisfaction, and would not be a course of proceeding by which we could hope to effect a real settlement of this great question.

A few minutes ago, Sir, we heard read from the table of the House that paragraph of Her Majesty's Speech in which reference was made to University Education in Ireland; it is a paragraph in so far significant that it draws a broad and clear distinction between the two portions of this subject, which distinction we have kept in view all along. The second of them relates to the rights of conscience. And the rights of conscience are, as we think, deeply concerned in this question, because we hold that there has long been a religious grievance in Ireland, arising out of the existing state and law of University education, and that it is our duty, in offering any proposal to Parliament as a settlement of this question, to make provision for the complete removal of all religious grievances. But, at the same time, it would be a great mistake to suppose that the religious grievance constitutes either the whole or the main question before us. It certainly forms an essential part of it as a negative condition, but the positive and substantive part is that which relates to the promotion of academical learning in Ireland. These two matters I shall endeavour to keep separately

The religious grievance constitutes only a part of the question to be solved.

The positive part is the promotion of Academical Education in Ireland.

in view while I address the House on this subject, as they have all along been kept separately in view by the Government. I am by no means prepared to state that there is no likelihood of conflict between these two principles. It is perfectly plain that the old academical learning, which included teaching in all subjects, must be modified; because where there is a difference of religious convictions to be provided for, it is impossible to retain the perfectness and completeness which academical learning possessed in the olden time. A large number of Her Majesty's subjects are at this moment debarred from University training because they send their children to places of education where their religion is taught by authority, as part of the training in those institutions. Now, it may be said that, even though this may be true, two questions are to be raised—first, is the allegation true, and, secondly, if it is true, are the persons who thus withhold their children from University training right or are they wrong? Let me observe, in the first instance, that the question is not whether we agree with them or no. Parliament has advisedly determined to give the preference to academical institutions which are not denominational. (*Hear, hear.*) This, in the three kingdoms, is the Imperial policy, and to it, in all instances, we shall adhere. But there is more to say. When it was observed in former times that the great majority of the people of Ireland were Roman Catholics, it was answered, "So much the worse for them; let them adopt the true religion, and then all difficulties will disappear." But Parliament came to the conclusion that it was its duty to recognize the fact and to accept the consequences. There are many Presbyterians who desire to be educated in a College where their own religion is taught; and the existence at this moment of Magee College, under a most able Principal who I believe enjoys very high repute in the Presbyterian body, notwithstanding all its difficulties by reason of exclusion from University

Roman Catholics not peculiar in preferring denominational Education.

training, affords a proof that this belief, that education should be given in connexion with denominational teaching, is not confined to the Roman Catholic communion. I have said it is not our business to inquire whether the Roman Catholics are right in their opinion or whether they are wrong. The question for us is rather this—supposing they are wrong, is it right in us, or is it wise, that they should be excluded from University training? For that is the course which, up to this moment, has been pursued. I do not think that Englishmen, who are accustomed to send their own sons for the most part to those institutions where they are trained in their religion by the same authority that communicates to them the other parts of education, can very severely condemn this error of the Roman Catholics of Ireland, and of some of the Presbyterians of Ireland, if error it is proved to be.

Now, I will look at the question in a very simple form. What is the state of the case as to the actual enjoyment of University training by the Roman Catholics of Ireland? I shall not enter into those details of controversy which have been handled with great ability by gentlemen on one side and the other. There are those who think, and who are bold enough to maintain, that upon the whole, considering who Roman Catholics are, considering how little property they possess, how little it is possible for them to enter upon the higher culture, their state, so far as University education is concerned, is not very bad at this moment. I hold, on the contrary, that it is miserably bad. (*Hear.*) I go farther; and I would almost say, it is scandalously bad. (*Hear.*) I will go into figures, which will at least bring to a test the proposition that I have laid down; but, in applying those figures, I will first protest against the manner in which the subject has hitherto been handled, and will call the attention of the Committee to a distinction which it appears to me they ought to bear in mind in order that they may estimate correctly the facts. In

The case of the  
Roman Catholics  
stated.

Difference between professional degrees and degrees in Arts.

the Queen's Colleges, Ireland, the total number of matriculated students is returned to me as 708. The number of Roman Catholics among them is 181, or somewhat over one-fourth. But my proposition is this:—In the return there is a fundamental fallacy: the great bulk of these matriculated students, or, at least, a very large portion of them, are simply professional students, and are not students in Arts. But when we speak of University education as an instrument of the higher culture, we mean University education in Arts. (*Hear, hear.*) Schools of law, schools of medicine, schools of engineering, and I know not how many other schools, are excellent things; but these are things totally distinct and different from what we understand by that University training which we look upon as the most powerful instrument for the formation of the mind. (*Hear, hear.*) Therefore I am obliged to break down these figures into fragments, and to ask, out of these 181 students, how many are students in Arts? I now give the Roman Catholic students in Arts in the Queen's Colleges of Ireland. From 1859 to 1864, in the three Queen's Colleges, the Roman Catholic students in Arts averaged 59; from 1864 to 1869 they averaged 50; from 1869 to 1871 they averaged 45. I think these figures justify the statement that the numbers are miserably small (*hear*); and that, small as they are, they are, moreover, dwindling away. And, Sir, when I speak of recognizing only students in Arts, I am not hazarding the opinion of an individual; I am giving utterance to a judgment which I know every University man will sustain. It is the opinion upon which the University of Dublin has uniformly proceeded in its handling of this subject. The number of Roman Catholics matriculated as students in Arts at Trinity College seems to be about 100. That may not be the exact number, but, from the figures kindly supplied to me, it must be within two or three, one way or the other. Adding these 100 at Trinity College to 45 at the Queen's Colleges we have 145 as the whole number of

persons whom 4,000,000 and upwards of Roman Catholics in Ireland at present succeed in bringing within the teaching of a University to receive academical training in the faculty of Arts. Well, I think that is a proportion miserably small. (*Cheers.*) It is something, but it is really almost next to nothing. Again, Sir, the total number of students in Arts in Ireland I find to be 1179. So that the Roman Catholics, with more than two-thirds—I think nearly three-fourths—of the population, supply only an eighth-part of the students in Arts. I think there are hardly any in this House who will think fit to say that that is anything like an adequate proportion—anything like the numbers which they ought to furnish, even after making every allowance which ought fairly to be made for the relative proportions of Roman Catholics in the different classes of the community. Well, I think, then, I have shown that there is a great religious grievance in Ireland. Had I been able to point to a state of things in which the movement was in the other direction—in which, instead of an almost constant decrease of Roman Catholic attendance at the Queen's Colleges, there was a steady, healthy, and progressive increase—the case would have been greatly different. You might have said, "It is well to wait and see what happens." But I am afraid if we wait to see what happens, the only result of that would be to aggravate a state of things already sufficiently bad. (*Hear, hear.*)

I now, Sir, quit the topic of the religious grievance. But quite apart from the religious grievance, there is a great and strong necessity for academical reform in Ireland. I will test the question first as to the quantity or supply of academical training in that country; and all along I will keep broadly and plainly in view the distinction between training in Arts and mere professional training. Now, in Trinity College there are attending lectures in Arts 563 young men, about the same number

—I think it is a little more—as attend in Trinity College, Cambridge. In the Queen's Colleges the students in Arts are as follow (I take the year 1871, which is the latest I possess):—At Belfast, 136; at Cork, 50; and at Galway, 35—in all 221. Adding these two figures together we get 784 as the total for Ireland of University students in the proper sense of the word; that is to say, in the sense in which it is understood in Scotland, much more in the sense in which it is understood in England. Seven hundred and eighty-four is the whole number of students who are receiving regular instruction in Arts, for the whole of Ireland, with its five and a half millions of population. But there are a large number of students in the Queen's Colleges who are receiving professional education in law, in medicine, and in engineering. The number of these is at Belfast 201, at Cork 174, and at Galway 80—in all 455. Thus, when we include students preparing for a professional career with the Arts students, we come up to 1239. Finally, there are a large number of persons who belong to Trinity College, Dublin, who have the honour of paying, without any deduction, all the fees of Trinity College, Dublin, but who receive from Trinity College, Dublin, no other benefits—and great benefits they are shown to be, or the price would not be paid for them—than those of examination and a degree. The number of these is 395, so that in this way we get up the number of University students in Ireland to the very poor and scanty figure of 1634, of whom less than one-half are University students in the English or in the Scottish sense of the word. Of students in that sense in Ireland there are but 784, against 4000 whom Scotland, with not much more than half the population, sends to her Universities. (*Hear, hear.*) I think that is a pretty strong case as regards the absolute supply of University and academic training in Ireland.

But the case is stronger still, when we consider the com-

parative state of the academical supply. Take the Queen's Colleges, those valuable institutions which we should heartily desire to see in a flourishing condition. From 1859 to 1864 they matriculated on the average 226 persons per annum. This is in Arts and other faculties taken together. From 1864 to 1869 they matriculated 1039 persons, or an average of 208 persons. In each of the years 1870-71 they matriculated 200 persons. Thus, as far as the Queen's Colleges are concerned, even the present narrow supply of academic training is a supply tending downwards, What is the case as regards Trinity College? Having a strong sentiment of veneration and gratitude for that institution, which has done in Ireland a large portion of the good which has been done for her at all—(*hear, hear*),—I observe with the greatest regret the decline in the number of students there. I now draw no distinction between resident and non-resident students; and I find that during the period of years from 1830 to 1834 the annual matriculations were 433. Then, taking a period of 15 years down to 1849, at the end of which the Queen's Colleges were founded, the matriculations had sunk to 362 per annum; while from 1849 to 1872 they had again sunk to 295.

Thus, Sir, we find, upon examining this matter to the bottom, that notwithstanding the efforts of Parliament, notwithstanding the general increase of education, notwithstanding the opening of the Queen's Colleges with large endowments, the University students of Ireland in the proper sense—that is, the students in Arts—are fewer at this moment than they were 40 years ago, when no Queen's Colleges were in existence. (*Hear, hear.*) I have shown you that, at this moment, the students in Arts in Ireland, even including men who are merely examined and who do not attend lectures, only number 1179; but I find that in 1832 the students in Arts at Trinity College alone were 1461. (*Hear, hear.*) Sir, I think I have now sufficiently made good my case as to the supply of academic training in

Ireland and the necessity of reform so far as such a necessity can be deduced from the mere paucity of supply.

And here I pause for one moment to rebut the charge that this state of things, though it would not do for Scotland or for England, will do for Ireland. It is not true that Ireland is indifferent to culture. Irishmen have their vices as well as their virtues, like every other people on the face of the earth; but among their virtues has been an appetite for culture, abiding and struggling for the opportunity to act even under all the difficulties and all the disadvantages of their position. (*Hear, hear.*) Look at the College of Maynooth. Some people will tell me that at Maynooth there is no culture at all. Now, I will not enter into that debate; but it surely must be admitted, even by the most hostile that, if not culture in the broadest sense, it is at all events relative culture. Allowing for differences of religion, the Maynooth student is raised by the training he receives in that College far above his original level, and is so raised by a course of culture; and everyone who has the happiness of knowing the accomplished gentleman who presides over the College will know that such a man would not be found at the head of an institution where the spirit of culture was not encouraged. What is the case at Maynooth? Quoting from a pamphlet by a Roman Catholic gentleman who enjoys one-half the name of my hon. friend (Dr. Lyon Playfair), and who possesses, I think, not less than one-half his ability also—(*laughter*),—I find that during the three years 1866-69 the average number of entrances was 90 per annum. Since that time, the income of Maynooth has been cut down to perhaps little more than a moiety by the arrangements of 1869, though it receives a considerable income still; but the entrances, instead of going down, have risen from 90 to an annual average of 105; and Dr. Lyons distinctly states that, over and above any advantages that the Maynooth students derive from the College, it costs each of them on an

Irishmen not  
indifferent to  
culture.



average 50%. a year to go to Maynooth, the great bulk of these students being, as he says, the sons of the smaller farmers of the country. But the case does not rest upon a casual illustration from Maynooth. It is really an appealing to the whole history of Ireland that she may make a plea for herself, and refuse to be smitten with this condemnation of indifference to culture. Sir, there is a love of letters in Ireland. Ireland is not barbarous in mind. She can say justly on her own behalf—

“Nec sum adeo informis: nuper me in litore vidi,  
Cum placidum ventis stabat mare.”

If only we will give her a tranquil sea in which to mirror herself, it will be in fair ~~usage~~ <sup>usage</sup> that she will return to the ~~crow~~. (*Opposition cheers.*)

*visage  
view*

Now, I am about to criticize the constitution of Trinity College and of Dublin University; and here I wish to draw a broad distinction. We have been told about forms of government that

“Whate’er is best administered is best;”

and I freely and gladly avow, in the case of Trinity College, Dublin, and the Dublin University, that one of the most astounding academic constitutions which it could ever have entered into the head of man to devise has, notwithstanding, through a liberal and enlightened administration, been made to produce great benefits to the country.

(*Hear, hear.*) This constitution is in everything almost exactly the opposite of that which, according to admitted rules, it ought to be. The University of Dublin is in absolute servitude to the College of Dublin. But when, twenty years ago, we began to think about the reform of the English Universities, what was the first thing we endeavoured to do? We endeavoured to emancipate the University from the exclusive sway of the Colleges; and that we did in Cambridge, where there were

Anomalous  
condition of the  
present constitu-  
tion of Dublin  
University.

seventeen Colleges and Halls, and in Oxford, where there were twenty-four—this immense diversity producing, of necessity, a great variety and play of influences. But here we have the case of a single University, with a single College, and the University is in absolute servitude to the College. When I say, “in servitude to the College,” what does that mean? The College is a large and illustrious body. Does it mean in servitude to the whole assembly of the College? Certainly not. It means eight gentlemen who elect the other Fellows, who elect also themselves, and who govern both the University and the College. That is the state of things which we find in the University of Dublin and in Trinity College. The Provost and seven Fellows are the persons who appoint, to begin with, the Chancellor of the University. He is not elected, as in Oxford and Cambridge, and, I think, in some or all of the Scotch Universities; nor is he appointed by the Crown. He is appointed by the Provost and seven Fellows. But, when he is appointed, what can he do? What is there the Chancellor of the University of Dublin can do except by the command or with the assent of the Provost and seven Fellows? As I understand, one of the great functions of the Chancellor of the University is to convoke the Senate of the University; but at Dublin he cannot do this except upon the requisition of the Provost and seven Fellows. And when the Senate is convoked, the Provost and the seven Fellows, or the Provost alone, have the power at any moment by absolute veto to stop any of its proceedings. Now that is the position of the University of Dublin in reference to Trinity College. No degree, again, can be granted by the University of Dublin unless it receives a proposal to that effect from the College; that is, from the Provost and the seven Fellows. On the other hand, when it has received this permission, it cannot refuse to grant the degree, unless it votes in the negative three times over, when the matter stands for

further consideration at the next meeting of the Senate. Well, Sir, these things are singular. They are hardly credible. And now, to crown it all, let me give you the truly Irish consummation. (*A laugh.*) I beg pardon for having used that phrase, but, as I hope to be well-mannered in general towards Ireland, I may be forgiven that single offence. It is, then, a fact that the Senate of the University of Dublin was formally incorporated by letters patent in 1857; and it has been acting, as has been always supposed, upon the strength of those letters patent ever since. They have been referred separately to two of the ablest lawyers in Ireland—Sir Abraham Brewster, the ex-Lord Chancellor, and Baron Fitzgerald; and both of those eminent lawyers entertained the gravest doubts whether—or rather I should say they evidently are of opinion that—the letters patent are invalid, and not worth the paper on which they are written. (*Laughter.*)

This, Sir, is a singular state of things with respect to the constitution of the University, and, certainly, the stranger it is, the more credit is due to those who have administered its affairs in its relation to the College; but even this is not all. I have heard the hon. and learned gentleman the junior member for the University of Dublin, in language with which I strongly sympathised, pleading for academic freedom against political party, and against the interference of the State and Crown. But how does Trinity College itself stand with regard to such interference? Why, Sir, as the University of Dublin is absolutely dependent upon the College, the whole supreme power of legislation for the College lies with the Crown. It can override the Provost and seven Fellows to any extent it pleases. And I will now make a premature revelation for the satisfaction of the hon. and learned gentleman as to what we are going to propose. I hope we shall be able to propose, on behalf of Trinity College, a

somewhat more independent constitution than that which it now possesses. (*Hear, hear.*)

Well, Sir, I think I have shown that, if there be anything sound in the principle for which I am contending, and the absolute necessity of which has been, as a general rule, admitted—namely, the principle of setting the University free from the exclusive dominion of the College,—I think I have shown that the present state of the constitution of the University of Dublin calls for interference—although I grant that to some extent you may make for it the same sort of argument that in 1830 and 1831 was made for the old Parliamentary Constitution—namely, that, whatever may be said about it in the abstract, the fruits of it on the whole have been greatly better than could have been expected.

What the University of Dublin is, and what it ought to be.

And now, Sir, while I promise not to deviate from the path which is traced out for me by the subject, I am sorry to be compelled from the necessity of the case to dwell for a while upon the University of Dublin; upon the *question* what it is legally, morally, and historically, and what it ought to be. And, first of all, I desire to clear away a degree of confusion that exists in the minds of some respecting the relative position of the University of Dublin and Trinity College. To this confusion I am afraid our friends in Scotland have made a liberal contribution, because in Scotland the University and the College are for every practical purpose the same thing. According to the old Roman law, as I am informed, *universitas* and *collegium* were as nearly as possible synonymous. I have not lived much in Scotland for nearly 20 years, but when I did live there it was a common thing to hear a Scotchman say to a friend, "Have you sent your son yet to Oxford College?" The University and the College were to him exactly one and the same in idea and in fact. What I want is to sever these words effectually one from

the other ; and I beg the Committee to believe, what I will distinctly show, that in the case of the University of Dublin and Trinity College they are in law and in history entirely distinct and separate bodies. It is not very easy, perhaps, to supply an analogy to illustrate their actual connexion ; but the nearest one I know belongs to the beginning of the 17th century. It is in the famous theory of Hooker, who held that every man in England was a member of the State, and also a member of the Church ; although it was admitted they were two different forms of society, yet they presented only two different aspects of the body politic. In the same way we have had the University and the College of Dublin co-extensive as to the persons of whom they are composed. Nevertheless their academical and legal character has been perfectly distinct. The University exists apart from the College now, as it has all along existed, morally and legally apart, notwithstanding the fact of the identity of the persons of whom the two are composed. Let me try if I can prove the proposition I have stated. And, first, I will point out the separate existence of the University, because this is the basis of the measure which the Government is going to propose. It is shown, even at the present day, by the existence of the Senate. The Senate is not the Senate of the College ; it is the great assembly of the University. Whether the letters patent of 1857 be valid or not is immaterial. The Senate existed before the letters patent, and would exist without them ; but, besides the Senate, the University of Dublin has other elements of a constitution perfectly distinct from that of the College. The Senate has the exclusive right to grant degrees, although it does so, I must admit, in durance vile, and under great compulsion ; but the College has no power to grant degrees, they are given exclusively by the University. The University has a Chancellor and a Vice-Chancellor, and, lastly, the University has—and this

is very important—Parliamentary representation. That representation is not a representation of the College; and here is the single case in which the two societies consist of different persons. Many of those who have taken their names off the books of the College continue to vote for members to represent the University in this House, and they are compelled, in order to qualify for that purpose, to retain their names only on the books of the University.

The University of Dublin dates from a much earlier time than the reign of Elizabeth.

The University of Dublin does not, as some may suppose, originally date from the reign of Elizabeth. So far back as the year 1311, at a period when a great intellectual movement occurred in Europe, the Archbishop of Dublin, John Lech, obtained a Bull from Pope Clement V. to found an University (*Universitas scholarum*) in that city. Another Archbishop of Dublin, Archbishop Alexander de Biebnor, obtained a code of statutes for the University. In 1358, Edward III. founded a Lectureship in Theology in the University; and here we encounter a singularly interesting circumstance, for Edward III. provided in that foundation that, for the purpose of their attending the lectures in theology, safe-conducts should be granted for the resort of students from all parts of Ireland, and that these safe-conducts should be granted not only to the English of the Pale, but also to the Irish enemy, as he was commonly called, from beyond it. It is really touching to see this sign of brotherhood and of the common tie of humanity betraying itself in connexion with the foundation of the University, and in the form of a regulation for securing free access to its benefits. (*Hear.*) In 1364 the Duke of Clarence founded a Preachership and Lectureship in St. Patrick's, which was the site of the old University before the Reformation. In 1465 it appears that the Parliament of Ireland had endeavoured to found a University which, I suspect, very few gentlemen here have heard of, namely, the University of Drogheda; and the failure of this endeavour led Pope Sixtus IV. to give authority for a like

foundation in Dublin, inasmuch as (so says the Pope) there was none at that time in the island, showing that the former foundations had been broken up. In 1496 another Archbishop of Dublin taxed his clergy in Provincial Synod to find stipends for seven years for the lecturers of the University; and from some evidence of the 16th century it is clear that teaching in some form or other did continue in connexion with St. Patrick's Church until about the reign of Edward VI. It is of singular interest, I think, when we consider the rudeness of the times and the disorganized state of the country, to witness those continual efforts to introduce through an University the elements of humanity and civilization. Across that sanguinary scene of war and turbulence and bloodshed, flits from time to time this graceful vision of an University, appearing to-day, disappearing to-morrow, re-appearing on an after day—

*“Par levibus ventis, volucrique simillima somno,”*

but, unhappily, never able to root itself on a firm foundation in the soil, like the Universities of England, or like those of Scotland at a corresponding date.

We have now, Sir, reached the reign of Elizabeth; and here we find that great man Sir Henry Sydney, the Lord Deputy, whose fame has been, I think, unreasonably and unjustly obscured by the more brilliant but not more solid reputation of his son, petitioning the Queen, in 1568, for the revival of the University. In 1585 Sir John Parrott, who had then succeeded to the office of Lord Deputy, proposed to dissolve St. Patrick's Church, for the purpose of founding two Universities, but Archbishop Loftus objected to that proceeding as sacrilegious. Some critical observers put another and less favourable interpretation on the objection—I do not know whether justly or not; but there is some allegation as to the granting of leases of portions of the property to blood relations. However, Archbishop Loftus

afterwards himself proposed the plan which has ultimately expanded itself into the present University of Dublin. He obtained a grant of the monastery of All Hallows, near Dublin, and he prevailed upon Queen Elizabeth to found a college in Dublin, which college was to be *Mater Universitatis*. It is important to know what was the meaning of that expression. I will give my own version of it, and with the more confidence, because something like it has been given already by one whom I look upon as the highest of all the authorities who have dealt with the curious history of the University of Dublin—namely, the very learned Dr. Todd, so long and honourably connected with that University. For 150 or 200 years all efforts to found a University alone had been vain; again and again it had dissolved into thin air. In the reign of Queen Elizabeth a completely different policy was adopted, and instead of beginning with the University, it was determined to begin with the College. They, therefore, founded a College, and it was incorporated, but they did not incorporate the University, which, as a University, remains to this day unincorporated. I think that policy was a wise and sagacious one. The men of that time appear to have reasoned thus: "Hitherto, the University has pined and died from want of the proper material to sustain it. We will supply the material which will feed the sacred flame; for it is not here as it was in England, where the University grew as it were spontaneously, in obedience to demand, to supply a thirst for learning. If we plant firmly a nucleus of teachers and scholars, around it will gather a body of men, out of which a real and solid University will hereafter grow." They, therefore, planted their College and called it *Mater Universitatis*, meaning thereby that from the College a University was to spring up, and that other Colleges were to appear from time to time within its precincts.

Now, Sir, it may appear to some that I am talking



strangely when I speak thus; but I will make good, briefly and I think conclusively, that, according to the original design of the University of Dublin, and as to the continued remembrance—as to the maintenance of that design I will give you evidence for 200 years, from the date of Queen Elizabeth's foundation—there were to be and there ought to be other colleges in the University of Dublin. In 1600, the College having only begun to take students in 1593, the first “commencement,” as it is termed, was held, showing that the University was in action as distinct from the College, and this at the close of the first period, when a course of study had been completed by the very first pupils. In 1615, or some say a little earlier, the University Statutes were published, and by them, with modifications, the University has been governed to this day. This was done by the College. It was to be a *Mater Universitatis*, and it was not unfaithful to its trust. Undoubtedly, and it is a large part of the case I have to state, the original design has not been fulfilled; but I do not say it was the fault of the persons connected with the College. It was the fault and misfortune of the times, for not only were efforts made to found new colleges in Dublin in the 17th century, but those efforts took some effect; and I find that no less than four colleges and halls are on record. One was founded as soon as 1604, only eleven years after the commencement of the practical operations of Trinity College—namely, Woodward's Hall. Trinity Hall was founded in 1617, and that, I think, is the one which took some root as a medical College, and subsisted down to about 1689. In 1630 New College was founded, and in the same year St. Stephen's or Kildare Hall. It is shown by these imperfect foundations, made at a time when the mother-College was itself still immaturely established, that those, who followed the founders of 1593, were anxious to give effect to their design of multiplying colleges around Trinity

College, which should share in the enjoyment of the same privileges; and thereby to bring into existence the true idea of a University, as it had been understood, and as it already existed in England, which was the model they had before their eyes.

But this, Sir, is not all. I will show further that the most solemn and important public documents have again and again referred to the intention of founding new colleges in the University. In 1613 James I. gave the University of Dublin the right of being represented by two members in the Irish Parliament, and in giving it, after mentioning Trinity College, he speaks of "*aliorum collegiorum sive aularum in dictâ Universitate in posterum erigendarum ac stabiliendarum.*" In his view, therefore, other colleges were to be founded in Dublin. In 1662 the Act of Settlement empowered the Lord Lieutenant to erect another college, to be of the University of Dublin, to be called King's College, and to be endowed with any amount of property from the forfeited estates not exceeding the then very large sum of 2000*l.* a year. The last, and perhaps the most curious, indication I will give is of the date of 1793. The disabilities which excluded Roman Catholics from Trinity College and the University of Dublin, were then removed by law; and an Act was passed which, while it provided that they might enter Trinity College, but not share in the endowments of the College, further provided that Papists might take degrees, fellowships, or professorships in any college to be hereafter founded under that Act," subject to the double condition that such college was not to be founded for the education of Papists alone, excluding all other persons, and that it was to be a member of the University of Dublin. I think, then, I have shown with regard to that University that, according to the spirit and intent of its foundation, it is a scheme which, noble in itself, remains unfulfilled, and, consequently, presents the strange anomalies in its constitution to which I

have referred. I wish to quote, in a few words, the legal opinion of Baron Fitzgerald, given, I think, in 1858, with regard to the scope of Dublin University, and to the question how far it is conformable to its plan that it should include other colleges with Trinity College. It is not for me, speaking among many eminent lawyers, to draw a distinction among members of the Irish Bar, but as far as I can judge from what I have heard of the opinions and writings of Baron Fitzgerald on this subject, he certainly carries in my eye the appearance of a man of very considerable weight, ability, and authority in his profession.

Baron Fitzgerald's opinion as to the legal scope of Dublin University.

After reasoning upon other matters, he says:—

“The consequences of this would of course be that by the mere creation of any other college in the University, each and every student (*studiosus*) admitted to it, whether belonging to that new college or corporation or not, would become entitled to the University privileges.”

I think I have now sufficiently indicated the historical ground upon which we feel that in dealing with this intricate and most important question it is much better to go to the root of the matter, to deal with it thoroughly, and to propound to Parliament a plan which, from its comprehensiveness and solidity, might afford promise of giving peace and of offering finality in that limited but reasonable sense in which alone it is applicable to human affairs; and I propound with some confidence to the House that the University of Dublin, as distinct from Trinity College, is the ancient, historic, national University of the country, that its constitution is in a state of the strangest anomalies, that it calls for reform, and that it is this University within the precincts of which the reform now projected for Ireland ought to take effect.

This seems to be the point in the course of my statement at which I ought to refer to the Queen's Colleges and the Queen's University. We have looked carefully at the state of the Queen's Colleges, and we have arrived at the

Queen's Colleges and University.

conclusion that the College of Belfast is strongly and solidly founded, and is eminently adapted to meet the wishes and wants of a large portion of the population in the North of Ireland. We also think that the College of Cork, although not perhaps so solidly founded as Belfast, although not at any rate invested with so large a promise of expansion under favourable circumstances, presents what may be called a very fair Parliamentary case, from the number of persons it trains, as well as the efficiency of that training. With regard to Galway College, we have arrived at a different conclusion. I am now speaking, remember, of matter which is not of the essence of the plan of the Government. The essence of the plan lies in what relates to the University of Dublin and to Trinity College; the propositions I now make are collateral to the main portion of the plan, and may be dealt with apart from it, but from a sense of their merits we are disposed to urge them strongly on the House. Galway College, if it has not materially declined, cannot certainly be said to have advanced of late years. The whole number of matriculated students in 1870-1, the return for which is now, I believe, laid on the table, was only 117, of whom half were medical students; and I may observe that, however excellent professional schools may be, they are not institutions which have the largest claims on the taxpayers of this country. (*Hear.*) They are rather in the nature of self-supporting institutions. Education in Arts does not directly lead, as a general rule, to remuneration; but education in Medicine will, I hope, always prove its own reward; and the whole number of students in Arts in Galway, whom I point out as the more proper objects of a public foundation, if public foundation there is to be, is only about 30. However invidious it may be to look to pounds shillings and pence in these matters, and although there come from Galway a certain number of very well-instructed men, even the best article cannot be viewed

Circumstances  
of Galway College  
show that it  
ought to be sup-  
pressed.

without some regard to the price, and it is only right I should tell the House that the charge on the Consolidated Fund and other expenses of Galway College amount to 10,000*l.* a year. I have called for an account of the charge to the Exchequer of every pupil in the College, and the return given me is this:—The cost per annum to the public of every pupil is 77*l.*; the cost of every pupil carried on to a degree in Arts is 231*l.*, and the cost of every graduate in Law—I confess I grudge this the most, for I know no class which can plead less in the way of necessity for public subvention than our respected friends the lawyers—is 308*l.* The medical charge is lower. We get a doctor, and in almost every case, I am happy to say, a very efficient doctor, for 15*l.* Now, under these circumstances, we doubt and more than doubt whether, when so much better arrangements are about to be made for the people of Ireland, so large a sum of public money ought permanently to continue to be applied to the purposes of Galway College. (*Hear.*) We are disposed, therefore, to recommend, with every proper consideration for vested interests in the Galway College, that measures should be taken for winding-up within a reasonable time its transactions. The measure we propose is that the Council of the Queen's University, which will not certainly be adverse to the College, shall frame a scheme for winding-up its operations at some period before the 1st of January, 1876, a time which will allow every one connected with the College ample time to finish his career.

Vested interests  
of Galway College  
to be respected.

I pass on now to the Queen's University. The Queen's University and the Colleges, as a whole, have in my opinion rendered great service to Ireland, and if they have been prevented, as they have been prevented, from doing a great deal more good, it has been by an unhappy if not even a strange combination of influences. I know not whether any one supposes me to be actuated by a senti-

The Queen's  
University.

ment of either open or latent hostility to the Queen's Colleges; but this I may say that when many objected to them I spoke and voted as an independent Member of Parliament for their foundation in 1845, and have never ceased to wish them well. But now I wish to do an act of justice. It is quite true that the main cause of their comparative failure has lain in the operation of ecclesiastical influence from the Roman side. This influence, however, has been accepted, appropriated, and made their own by a very large portion of the members of the Roman Catholic Church. (*Hear.*) But what I wish to point out, and it is only fair to point it out, is this. The first blow, and it was a very serious blow, struck at the Queen's Colleges, was not struck from that quarter. There never was a plan, I believe, devised in a spirit of more tender regard for religion than the plan of the Queen's Colleges as it was framed by Sir R. Peel and Sir J. Graham; and those who will look back to the provisions of the Act which established the Colleges in 1845 will see the most distinct indications of their desire, on the one hand, to keep the State out of the vortex of polemical differences, and, on the other hand, to give the utmost possible facilities; to all who were so disposed, for making direct provision for instruction in religion within the walls of appropriate buildings and in immediate connexion with the Colleges themselves. These provisions most unhappily proved abortive; but who was it that struck the first blow? On the very night when the Bill was introduced by Sir R. Peel or Sir J. Graham, my much lamented friend Sir R. Inglis, as member for the University of Oxford, felt it incumbent on him in the discharge of his duty to rise in his place and denounce them as "a gigantic scheme of Godless education" (*hear.*). And again, at the end of the debate on the second reading, so far from softening or withdrawing the language he had used, he felt it a matter of honour to repeat it and insist on it. After that declara-

Who struck the first blow at the Queen's Colleges?

tion so made, it was perhaps not very easy for the representative of Orthodoxy in Rome to accept as sufficiently religious for Rome what the representative of Orthodoxy in Oxford had repudiated and condemned as not sufficiently religious for Oxford. I here speak of the Colleges as a whole, and it will be distinctly understood why with these views we think that the Belfast College and the Cork College should be maintained; although with respect to Galway College the case is different, and we are of opinion that, without the smallest imputation on the teachers in it, the heavy charge it imposes is not warranted by the results. I come now to the Queen's University.

Reasons why  
the Queen's Col-  
leges should cease  
to be a separate  
University.

We regard its influence as unmixedly good so far as it goes; but I doubt very much whether, if we succeed in reorganizing, opening, enlarging, and liberally endowing the University of Dublin, it would be for the interest of the Queen's University to maintain a separate existence by its side. Let me point out these considerations. In the first place, if, where there are only three colleges, and where the professors of the colleges form the whole staff of the University, the University is not very strong, obviously it has nothing to spare; take away one of the colleges, and the University will be weaker than it was before. (*Hear, hear.*) In the next place, we must expect, as a matter of course, that these colleges will have to suffer more or less from the competition of an enlarged and effective University of Dublin, and from the greater liberty which will now be secured, especially for Roman Catholics, in choosing the place of their education. In the third place, if we leave it as it is, it will be excluded from those liberal endowments which we hope will be possessed and enjoyed by the University of Dublin. And lastly, it will have no share in that great advantage, the privilege of Parliamentary representation, which the University of Dublin enjoys, and which I hope that University will always enjoy. (*Hear, hear.*) For these reasons, and not

in any penal sense, not believing that the institution is not a beneficial institution, but with a view to the yet greater advantage of those who now profit by its existence, we are of opinion that it will be a wise course if Parliament should be disposed to say that the Queen's University, which was brought into existence merely to answer the purposes of the Colleges, shall pass over into the enlarged and remodelled University of Dublin. (*Hear, hear.*)

And pass into the enlarged University of Dublin.

The practical principles upon which the Government Scheme proceeds are identical with those which recent legislation has applied to Oxford and Cambridge.

I come now to the question of the practical principles on which we hope Parliament will conduct that great academic reform to which I have pointed by means of the measure we are about to introduce. By what principles are we to be guided in that reform? Parliament has been recently engaged in reforming the Universities of Oxford and Cambridge; it has laid down very sound principles with respect to these Universities; these principles have not reached their fullest development, but still there they are; they have received deliberate sanction, and it is upon these principles that we propose to go with respect to the University of Dublin and Trinity College. What, then, are the great principles upon which Parliament has acted with respect to the English Universities? First of all it has abolished tests. (*Hear, hear.*) Upon this point there is practically no difference of opinion, because while the whole Liberal politicians of the country have desired that abolition for its own sake, under the circumstances of the time that boon is freely offered with an open hand by the authorities of Trinity College and the University of Dublin itself. But this is a negative rather than a positive reform. (*Hear, hear.*) The next principle has been to open endowments. Where endowments are tied up by particular provisions in such a way as to render them the monopoly of comparatively few, Parliament has endeavoured to widen the access, and to increase the number of those who may compete for them, with the conviction



that that is the way to render them more fruitful of beneficial results. The next and perhaps most important principle has been to emancipate the University from the Colleges. That is what we did at once in Oxford, and we did it in two ways. The first of them was the establishment of a new governing body. In Cambridge, the *Caput*, supplemented by conventional meetings of the Heads of Houses, in Oxford more formally the Hebdomadal Board, composed almost wholly of the Heads of Colleges,—were in practical possession of the initiative, and were the rulers of the University. We abolished the Hebdomadal Board in Oxford and the *Caput* in Cambridge, and carried over the powers in each case to the Council. And now similarly, that we should establish a new governing body for the University of Dublin is evidently the conclusion to which both principle and policy should bring us. The other great measure of emancipation consisted in the introduction within the Universities of members not belonging to any college at all. Until within the last few years no one could belong to the University of Oxford or of Cambridge without belonging to some College or Hall within it, just as now no one can belong to the University of Dublin without belonging also to Trinity College. Parliament enabled the English Universities to enlarge their borders by taking in members not belonging to any college or hall. Speaking for Oxford, I rejoice to say that Act has been fruitful of good; and already, although the change is a very recent one, there are 120 young men to be found in the University enjoying all the benefits of careful training, but all able to pursue a social scheme of their own, to live as economically as they please, to seek knowledge in the way they like best, provided they conform to the rules of the University; and we may reasonably expect that a very powerful element of University life will in this way ultimately be established. Another method by which we have proceeded, I will not

say to emancipate the Universities, but to make the colleges conducive to the purposes of the University, is a very important one, and that is, to use a very emphatic little word, by "taxing" the Colleges for the benefit of the Universities. That is a principle which has already received in Oxford a considerable development. We already oblige Corpus Christi, Magdalen, and All Souls Colleges to maintain professors out of the College Revenues, not for College but for University purposes; and as for Christ Church, with which I have been myself connected, though a poor College in comparison with Trinity College—I greatly doubt whether it is half as wealthy—yet in Christ Church five professorships of divinity, at a cost of probably between 7000*l.* and 8000*l.* a year, are maintained out of the property of the College for the benefit of the University.

The circumstances of Ireland require some difference of treatment in detail from the reform of the English Universities.

These, Sir, are the principles of academic reform on which we have proceeded in England. There are other principles which it would be necessary to observe in Ireland, in consequence of her peculiar circumstances; yet these are the main ones. But there are two points among those which the special case of Ireland brings before us, that I must particularly notice. To the one I would refer with some satisfaction, at least as regards Trinity College; to the other with pain. It is this. If we are about to found a University in Ireland in which we hope to unite together persons of the different religious persuasions into which the community is divided, we must be content to see some limitations of academical teaching. It would not be safe, in our opinion, to enter with one's eyes open into largely controverted subjects. In theology no one would wish the University of Dublin, if it be reformed, to teach; and we also think there are some other subjects with regard to which it will be necessary to observe limitations that I will presently explain. There is another matter on which we must pursue a course somewhat dif-

ferent from that taken in England. In England, when we reformed the Universities, we may say we did nothing to increase the influence of the Crown. In Ireland, as far as Trinity College is concerned, I should not propose to increase the influence of the Crown. It appears to me that it may be safely limited. But if we are to have an effective and living Dublin University with a new Governing Body, I am afraid it will be necessary to introduce for a time the action of Parliament and of the Crown in consequence of the unbalanced state of the University at the present moment, a state which must continue at all events for a time. (*Hear, hear.*) When the University arrives at a condition in which the nation can be said to be fairly represented in it, then I think the desire of Parliament will be to carry over to the University itself, as far as may be, the power of electing all its own officers and Governing Body, and to see it thrive upon those principles of academic freedom which have been allowed so much of scope in this country, on the whole with such beneficial results.

Action of Parliament and the Crown necessary until such time as the Irish nation can be said to be fairly represented on the Governing Body of the University.

Well, Sir, these are the principles on which we propose to proceed. And, now, if the Committee will still have the kindness to follow me, I will endeavour to describe the mode in which those principles will be applied to the University of Dublin. And first, Sir, I must say it is necessary for clearness that the Committee should carefully keep in view three separate periods of time. The first period of time laid down in the Bill is the 1st of January, 1875. It is on the 1st of January, 1875, that we propose that the powers now exercised by the Provost and seven Senior Fellows of Trinity College as towards the University shall be handed over to the new Governing Body, just as in the English Universities the powers of the Hebdomadal Board and less exactly those of the Cambridge Heads were handed over to the new Governing Bodies, which represented mixed and diversified academic forces. The second

Mode in which the foregoing principles are to be applied.

in the case of Maynooth College. We hand over the care of the theological faculty to the Representative Body of the Disestablished Church. We make provision, I hope ample provision, for the vested interests of the persons now holding office in the theological faculty, or discharging duties in that faculty, as far as those duties are concerned. We provide that private endowments which have been created for the purposes of the theological faculty shall pass over to the Representative Body, that Body to be subject to the same responsibilities as Trinity College will lie under, if the Bill be adopted, with reference to the private endowments in Trinity College. With regard to the rest of the change affecting the theological faculty, we propose to follow exactly the analogy of Maynooth. We ask you to grant 15 years' purchase of the annual expense; that is, a sum equal to 15 times the annual expense is to be handed over to the Representative Body, to be administered in trust for the purposes for which the theological faculty has existed. And, lastly, as the theological faculty, severed from the University and from the College, will no longer appear nor have accommodation in the buildings already existing, we propose that there should be a charge on the property of the College of 15,000*l.* to provide buildings for the theological faculty. So much as to the theological faculty.

I now come to the substantive and positive portion of our proposal, which I will describe as succinctly as I can. The principal parts and organs of the University of Dublin as we propose that they should stand in its detached and reformed condition, are these:—First of all there is the Chancellor of the University. The case of the Chancellorship of the University of Dublin is a very peculiar one, in this respect, that he is scarcely—I speak subject to correction—more than a nominal officer so far as regards the University. He has indeed the privilege of appointing the

The substantive and positive portion of the Scheme.

Present position of the Chancellor of the University.

Vice-Chancellor, but then the Vice-Chancellor is, unfortunately, no less nominal than himself; for all that they can do is, when they are permitted by the College, to preside in the Senate; and when they preside there they are liable to be stopped at any moment by the action of the authorities of the College. But, although he is a nominal officer as to the University, he is not so as to the College. In virtue of his office of Chancellor of the University, he is Visitor of the College. As Visitor of the College he has all the ordinary powers of the Visitor of a college; and besides those ordinary powers he has another real and important power—namely, that his assent to the statutes of the College is required, I think, in certain rather important cases, to give them validity. And so we have had to consider, in detaching and severing the College functions from those of the University, what course to pursue as to the Chancellor. The course we recommend is this—We think it better, under all the circumstances, to continue the Chancellor of the University as (if I may so speak) an ornamental officer of the University, and, that being so, to attach the Chancellorship to the person of the Lord Lieutenant for the time being. This is not a question of making over an operative State influence. If it were so, the case would be materially altered. But viewing all the difficulties which beset any other manner of proceeding, we recommend this as least open to objection. The Vice-Chancellor we propose to leave it to the new Governing Body to elect from among themselves. He will, therefore, be a real officer, with real functions—namely, those which attach to the Chair of the Governing Body. But we also make provision that the present distinguished Chancellor of the University, Lord Cairns, shall not, by the action of the Bill, be divested of those substantive powers, which he possesses—powers, namely, which accrue to him in the character of Visitor of Trinity College, and

His position  
under the pro-  
posed system.

the whole of which will be carefully preserved. That, Sir, is the proposal with respect to the Chancellor and the Vice-Chancellor.

Now, from what I have said the House will readily understand that an important part of our proposal goes to fulfil that which has remained unfulfilled in the past by introducing new Colleges into the University of Dublin. If the House should adopt the suggestions that we have made with regard to the Queen's University and Queen's Colleges, the two first of such colleges naturally will be those of Belfast and Cork. We shall also propose in Committee on the Bill, if agreeable to the parties, that the two voluntary institutions to which I think I have already referred—namely, the college which is called the Roman Catholic University and the Magee College—should become colleges of the University of Dublin. I will afterwards explain what the effect of that will be. But, Sir, I by no means assume it as certain that these are the only colleges in Ireland which might advantageously be joined to the University. We have not had the opportunity—it was impossible in the privacy which these matters require—of carrying on those communications with the parties able to ~~improve~~ <sup>improve</sup> us, which would be necessary in order to enable Parliament or to enable ourselves to form a judgment on the subject. When the Bill is placed in the hands of members—which I have little doubt will be to-morrow morning—it will be seen that the first operative clause enact that the Colleges enumerated in the Schedule to the Bill shall become Colleges of the University of Dublin. In turning to that Schedule it will be found that it is in blank; but I have already named four colleges which it is our intention, if the parties are willing, to propose to insert in it when we go into Committee on the measure. And in the time that may elapse—possibly a month—before we go into Committee, we shall probably receive further information to enable us to judge whether it is desirable or not

Introduction of  
new Colleges into  
the University.

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to lengthen the list. Of course, as I have stated, we do not confine ourselves to the collegiate element, but also allow persons to matriculate in the University without belonging to any college at all.

Constitution of  
the new Govern-  
ing Body of the  
University.

The next change which I have to mention is probably the most important of all; it is the constitution of the new Governing Body of the University of Dublin. I have shown that we strictly follow the analogy of English legislation in substituting a new Governing Body for the old one, and as a necessary step in the process of emancipating—I do not use the word in any invidious sense—or detaching the University. But in the case of Oxford and Cambridge we had, already supplied to our hands, a large, free, well-balanced and composed constituency, to which we could at once intrust the election of the new Governing Body. This, it is evident, is not the case with respect to the University of Dublin. Were the new Governing Body to be elected at once by the Senate of the University of Dublin, it would represent one influence and one influence only. We have, therefore, determined to introduce an intermediate or provisional period, and we shall not ask Parliament to place in the hands of the Crown the nomination of the Council which is to govern the University for that period, but, passing by the Crown, shall ask the Legislature itself in the main to nominate the list of persons for that purpose. I need hardly say that we are not now prepared to bring that list of persons before the House. It would be impossible for us to do it. It was impossible for us to ask gentlemen of eminence in Ireland to allow us to propose their names until we were aware of the general view which they would be disposed to take of the plans of the Government and of the intentions of Parliament; and I have already explained the reasons why it has not been within our power to hold any such communications. There is, however, one point on which I wish not to be misunderstood, and that is

the principle on which we shall endeavour to make the selection of names which we shall submit to Parliament. There is indeed another class of members of the Council to whom I shall presently refer, but I speak now of the names we shall submit to Parliament of members whom I propose to call the ordinary members of the Council. They are 28 in number, and will form the principal and therefore the predominating portion of the Council. These names of ordinary members we shall endeavour to submit to Parliament, not as representatives of religious bodies as such, but on wider grounds. For we think that the lists should be composed—without excluding any class or any man on account of his religious profession—from among all those persons in Ireland who, from their special knowledge or position, or from their experience, ability, character, and influence, may be best qualified at once to guard and to promote the work of academic education in Ireland. That is the principle on which we wish to make our choice, so far as we are concerned, and if we make it amiss, it will be in the power of Parliament to correct it.

I will next, Sir, proceed to describe the manner in which the Council is to be brought into action. It will be necessary for it to perform certain preliminary functions before the 1st of January, 1875. It will have to matriculate students, to complete its number as I shall presently explain, and to make appointments of officers, so far as may be needed, to prepare it for entering on its career of full authority. On the 1st of January, 1875, it will take over those powers of ordinary government which have hitherto been exercised by the Provost and seven Senior Fellows of Trinity College. It will have the power to admit new Colleges over and above those named in the Act; it will have a general power of governing the University, and the function of appointing professors and examiners; and it is only in respect to the method of its own election that it will remain under an intermediate or provisional constitu-



tion until it reaches the year 1885, when its constitution will assume its permanent form.

The composition of the Council will be made complete from the first. But I have not yet fully described the mode of its appointment. There will be the twenty-eight ordinary members to be named in the statute, as I have already mentioned. During the ten years from 1875 to 1885—the provisional period—there will be—probably no great number—but still a certain number of vacancies in the Body which it will be necessary for us to make provision to fill up. For that limited period we propose that the vacancies should be filled alternately by the Crown and by co-optation on the part of the Council itself. At the expiration of the ten years it will come to its permanent constitution, and I will describe what that, as we propose it, is to be; and then the Committee will be able to judge of the meaning of what I said when I stated that our desire was that the University of Dublin should be founded as far as possible on principles of academic freedom. After ten years, we propose that service on the Council shall be divided into four terms of seven years each, four members retiring in each successive year. There will therefore be four vacancies among the twenty-eight ordinary members to be filled up every year, and these four vacancies we propose shall be filled in rotation—first, by the Crown; secondly, by the Council itself; thirdly, by the Professors of the University; and fourthly, by the Senate of the University. There is a separate provision with regard to casual vacancies in the Council, to which I need not now more particularly refer. The ordinary members will constitute, according to the proposal of the Government, the main stock or material of the Council or Governing Body of the University; but we have been very desirous to see in what way that which we aim at may meet the general wants and wishes of the people of Ireland: and, considering how desirable it is to prevent

the action of too strong an unitarian principle—I have, I believe, ample authority for using that word, which is familiar in the present politics of Germany—we have been very anxious to discover in what manner it might be possible to give to those bodies, which I have described as Colleges of the University, a fair opportunity, not of governing the action of the Council by any exertion of influence or combination among themselves, but of being heard in the Council, so that all views and desires with respect to education might be fairly brought into open discussion, and that right might have the best chance of prevailing. It is evident we could not adopt the system under which any one College should be allowed to send to the Council a large number of members. It is also evident that it would not be safe to adopt a system under which Colleges, insignificant in magnitude, should be permitted to claim a representation in the Council. What we wish is this—that considerable Colleges, which represent a large section of the community and of its educating force, should have a fair opportunity of making their voice heard in the Council. With regard to all those dangers which would be likely to arise from too great a rigour of unity in the examinations, or too narrow a choice in their subjects and tone, though we introduce several other provisions on the point into the Bill, it is to the freedom and elasticity of the Council itself, I think, that we should look as the main security against anything either inequitable or unwise. We propose, then, that there shall be in the Council from the outset—that is to say, from the 1st of January, 1875—a certain number of what we call collegiate members, the basis of whose position in the Council will be that any College of the University which has fifty of its matriculated students, those students being *in statu pupillari* matriculated also as members of the University, may send one member to the Council, and if such college have 150 students, then it may send two members. That

Number of  
members which  
each College will  
be entitled to  
send to the  
Council.

would be the *maximum*; and this element, so far as we can judge, while it ought to be and will be secondary in point of numbers, would become very valuable and necessary for the purpose to which I have just adverted.

Present Parliamentary constituency of Dublin University.

Proposed constituency.

The Senate of the University of Dublin, as it now exists, does not, I may observe, discharge one of the living and standing duties which a University is called upon to perform. I mean the election of representatives to be sent to Parliament. The election of representatives for the Dublin University is mainly conducted by gentlemen who, except for that purpose, do not belong to the University at all—that is to say, who have ceased to belong to it, and who are empowered to exercise with regard to it no other function. What we propose is that henceforward the Senate shall elect the representatives of the University. The Senate will, of course, consist of all those who are now in it, and of all the doctors and masters who may hereafter have their names kept on it according to the rules which may be in force. I need not add that care will be taken that all those individuals who are now intrusted with the privilege of the franchise will have their rights preserved; but for the future we should lay down the principle that the members for the University ought to be elected by the Senate as they now are by the Senate of Cambridge and the Convocation of Oxford, and by them alone. As to the duty of the Senate, it will be to discharge the duties heretofore discharged by the old Senate of the University, and to share in the election of the Council in the manner I have described after the provisional period has passed, and the permanent constitution comes into play.

I hope it is now understood what our proposal is with regard to the constitution of the University. And now as to those who are to compose it. I need not say that all the members of Trinity College will remain where they are. With regard to the Queen's University, we

Graduates of Trinity College and of the Queen's University will carry all their present academic privileges into the new University.

should propose to absorb the whole of its members in the Senate and the body of the University of Dublin, together with all the privileges which now attach to their respective degrees or standing. There is a further provision which we have made in order to accelerate that consummation which we all desire—namely, the rapid introduction into the University of Dublin of those varied elements that we hope will vindicate for it the title of a truly national institution. There is no difficulty in the matter as far as Trinity College and the Queen's Colleges are concerned; because their *alumni* have already undergone University education in a recognised institution. But how are we to deal with Magee College and with any other Roman Catholic Colleges which have not any academic *status* in the eye of the State, and which, therefore, cannot be treated by this Bill as if they had been heretofore possessed of this advantage? In our opinion it would be a great hardship on those Colleges, if their *alumni* were to be absolutely excluded from the Dublin University. We have, however, only a limited power in the matter, and what we propose in their favour is a temporary provision to the effect that during the first three years after January, 1875, the University may, if it shall think fit, introduce into it, subject to examination, persons who have not been at any University, or College of an University, but who shall be certified to have resided for any given time as students of any College which is henceforward to belong to the University, and that an arrangement shall be made to give to such persons the advantage of the Terms which they shall have already kept.

I shall now proceed to detail the securities for conscience that will be taken in framing the constitution of the renovated University. The Committee will have gathered from what I have said that this University is to be a teaching as well as an examining University; but it is to teach under conditions in some respects limited. It

Alumni of other Irish Colleges to be admitted into the Senate of the new University on certain conditions.

Securities for conscience in the new University.

can have no chair in theology; and we have arrived at the conclusion that the most safe and prudent course we can adopt is to preclude the University from the establishment of chairs in two other subjects, which, however important in themselves in an educational point of view, would be likely to give rise to hopeless contention; and were we to propose that the new University should be at liberty to establish chairs in respect of them, we should be running the most fatal risk of introducing misgiving and mistrust, which might be fatal, with regard to the rights of conscience in the new University. The two subjects to which I refer are philosophy and modern history. (*Laughter and ironical cheers.*) I do not mean that the study of natural science is to be omitted from the list of chairs, I only refer to that of moral and metaphysical philosophy. (*Hear, hear.*) We feel that our asking for the foundation of chairs in these subjects would be impossible in the case of a mixed University, unless we gave up all hope of obtaining for that University the general confidence of the Irish people. And permit me to say that by excluding theology from the University we do very little if in that University, under the circumstances of the present day, we appoint authorised teachers in certain branches of philosophy, because all the deepest questions of religious belief are at this moment contested, partly, indeed, within the theological precinct, but even more so in the domain of ethics, and especially of metaphysics. The House may or may not overrule the Government in this matter; but, at any rate, that is the conclusion at which we have arrived with reference to this question.

There is another important security for the rights of conscience with respect to the same subjects which I will mention to the House. We propose that no one shall be examined for his degree in modern history or philosophy, as I have defined it, except with his own free will. We

do not think it necessary to exclude these subjects from the examination, provided the submission to examination in them is voluntary. (*Hear, hear.*)

As I have said already, the University is to be a teaching University; but we propose to extend the voluntary principle still further, and to provide that as a rule no attendance upon the lectures of the University Professors shall be compulsorily required from the students. We intend to trust to the excellence of the instruction which will be given, and to the vast advantages the University will enjoy from being placed in the metropolis of Ireland for the attraction of students to it; but we propose to make the attendance upon the lectures of its Professors voluntary.

We propose, also, to exclude the two subjects I have lately named from the examinations for the emoluments of the University. (*Hear, hear.*) From the examinations for honours we do not propose to exclude them, and for this reason. It is perfectly practicable to adopt the system of a positive standard as regards examinations even for honours, and you may bring up to that standard any number of men who show themselves competent to reach it; but as regards emoluments the competition must be between man and man; what one gains the other must lose, and therefore we think it the best and safest method of managing these emoluments to provide that these men should meet upon a common ground upon which all can equally consent to be examined. There are some other provisions of the same kind in the Bill, because I need not say that these securities for conscience are among the most important safeguards of the Bill, and unless they are effective we cannot expect the Bill to work, neither should we desire it to be accepted by the House. Among these, we have provided a clause somewhat analogous to one which appears in the Education Act with reference to the punishment of masters who persistently offend against

the conscientious scruples of the children whose education they conduct. We provide that a teacher in the University may be punished or reprimanded if he wilfully offends the conscientious scruples of those whom he instructs in the exercise of his office. But I am bound to say that the main security for the rights of conscience on which we rely is such a representation of all parties, within moderate and safe limits, in the body of the Council, as can be usefully and beneficially introduced into its constitution.

The contribu-  
tion which  
Trinity College  
will have to make  
to the emolu-  
ments of the new  
University.

The next and the last of the more difficult subjects I shall have to lay before you is that which relates to the contribution which Trinity College will have to make to the University of Dublin. It appeared to us in reference to this subject that one principle was absolute, and could not be made the subject of discussion in this House. That was the principle that the present office bearers and teachers in Trinity College should not be made losers by the direct operation of the Act. (*Hear, hear.*) The charge resulting from the adoption of this principle will probably amount on a rough estimate to about one half of the entire value of the property of the College. If this mode of proceeding should be adopted for giving security to their interests we shall propose that the residue of the property of the College shall be divided into two moieties, one of which shall pass to the new University, and the other shall remain the property of the College. The proposition will of course leave untouched the income derived by the College from voluntary payments. This is a principle on which we have already acted to some extent in England; but at present we have not carried it out so far as will, I apprehend, be thought necessary in future. A Commission is at present sitting for the purpose of examining into the property of the Universities and Colleges in England, and there cannot be a doubt, from such knowledge of opinions as I possess, that when that Commission reports, it will be found necessary, after making the most liberal

provision for the wants of the Colleges themselves, that considerable sums, especially in Cambridge, where the principle has as yet been applied only to a very limited extent, will be available for the requirements of the University. It is only fair that, as the degrees conferred by the Universities bring people to the Colleges, the latter should contribute to the support of the former. And it will especially be fair to adopt this principle with regard to Trinity College, seeing that it has received all its endowments not simply for performing the duties and functions of a College but also that it might be *mater universitatis*, that its means might be available for an University. The property of Trinity College is estimated in round numbers at 55,000*l.* a year. Between an increase in the amount of the rents and the interest of a large sum of money which it will receive on account of its ecclesiastical advowsons it will immediately have an increment of 7000*l.* or 8000*l.* a year. The voluntary payments amount to about 23,000*l.* a year, making in all 86,000*l.* a year prospectively, and 78,000*l.* at present. Its expenses are stated at 66,000*l.* a year and some hundreds, and there is a surplus of receipts above expenditure of 11,600*l.* Under these circumstances what we propose to do I will now explain. That mode of proceeding to which I lately referred, namely, the mode of charging the property with the vested interests and providing for a division of the ultimate residue—although it proceeds upon an intelligible principle, yet in practice would be operose, slow, and perhaps vexatious as to details. It would give room for differences of opinion. We have therefore placed a provision for giving effect to that proceeding only in a Schedule to the Bill. In the Bill itself we have introduced provisions of a very simple character, to this effect—that upon the property of Trinity College there shall be laid a charge of 12,000*l.* a year, to be redeemed within 14 years, and at 25 years' purchase. I have already stated that the



surplus revenue over its expenditure is more than 11,000*l.*: and 12,000*l.* a year, deducted from 78,000*l.*, which appears to be the total receipt, would leave 66,000*l.*, or, deducted from 55,000*l.* a year, the present estimated property of Trinity College, it would leave 43,000*l.* a year, with an immediate impending increment of 7000*l.* or 8000*l.*, making an endowment from these sources equivalent to about 50,000*l.* a year.\* In truth, after making the charge of contribution which we propose to take for the benefit of the University, Trinity College would remain perhaps the wealthiest College in existence in Christendom. At any rate I am aware of only one rival—namely, Trinity College, Cambridge, which educates and teaches nearly the same number as are educated and taught in Trinity College, Dublin. Undoubtedly there are other influences that would act on Trinity College in connexion with this Bill. It will lose its profits from degrees, which are stated at 2300*l.* per annum. But there are various provisions in the Bill which would enable Trinity College to economise its operations, and I must say, without fear of offence, that there are great and needful economies to be effected in Trinity College itself. We have introduced into this Bill a provision intended to facilitate the transfer in certain cases of Trinity College Professors to University Chairs. There may be cases in which Trinity College, as dis-

*Park*

\* In this statement is included the value (taken at about 5700*l.*) of the College, ~~Porch~~, and Buildings, and of the Provost's House. To be minutely correct, this point would require a further examination. The property consists, I apprehend (1) of land having value, but used for ornament or recreation; (2) of buildings yielding actual income in rent; (3) of buildings occupied so as to represent money's worth; (4) of buildings auxiliary to the functions of the College, and thus to the production of the income from voluntary sources. In delivering the statement it escaped my memory to deduct from the future income of the College the sums it will part with on account of the endowments of the teachers in the Theological Faculty. In this case it will, however (for the most part), be relieved of a permanent charge and duty at the moderate price of fifteen years' purchase. It will be charged with a sum of 15,000*l.*, representing, at 4 per cent., 600*l.* a year: but I consider that the borrowing provisions contained in the Bill will confer more than a countervailing pecuniary benefit.—W. E. G.

charging the duties of an University, had to incur the expense of maintaining a very large and complete staff of Chairs ~~which may not, and~~ where we think it might be for the convenience and advantage of all parties that in some of those instances Trinity College might make over its Professors to the University, and with its Professors the charge of maintaining them. These are the leading provisions, which I think contain the essential outline of the plan, so far as Trinity College is concerned.

I will now point out, in a very few words, what would be the position of the University according to our proposition with respect to what it will require in order to full efficiency, and with respect to the sources from which the money is to be had. We think this University of Dublin, if it is to be the great national University of Ireland in accordance with its original design, should be liberally supplied—first, with the means of teaching; and, secondly, with the means of encouraging and rewarding study. We have not inserted in the Bill any of the provisions which I am now going to sketch, but it is right that I should state to the House what our views are, because it may be thought expedient when we come to the Committee on the Bill actually to determine the amount of the property which shall be placed at the disposal of the University of Dublin. We think there might be ten fellowships, of 200*l.* a year each, given annually by way of reward, and tenable for five years, which, for fifty fellowships in all, would entail a charge of 10,000*l.* We think there might be 25 annual exhibitions of 50*l.* each, tenable for four years, which would entail a total charge, when they were in full operation, of 5000*l.* We think there might be 100 bursaries a year of 25*l.* each, tenable for four years, creating an annual charge of 2500*l.* or in the whole 10,000*l.* These bursaries would be of the greatest advantage in stimulating the youth of Ireland; and to establish them would be to do something analogous to

that which has been done with such great advantage by private benefactors in Scotland for the encouragement of study in the Scotch Universities. These grants for the encouragement and reward of study would in the whole amount to 25,000*l.* a year. The charge for the professors' chairs might possibly be from 15,000*l.* to 20,000*l.* a year more, which might create a charge of 45,000*l.* a year. The other charges would be those for examinations, for the ordinary government of the University, and for the buildings which would be necessary for lecturing and teaching purposes. 12,000*l.* a year, as I have said, is the contribution of Trinity College to University purposes from the fulfilment of which it is to be relieved. 10,000*l.* a year is the equivalent, or very nearly, of what the Consolidated Fund now pays for Galway College and the Queen's University. We conceive that a further sum of 5000*l.* a year may be obtained for the University by means of fees on a very moderate scale. Our view is that for the remainder of the money required for the purposes of the University we may most properly and beneficially resort to the surplus of the ecclesiastical property of Ireland—(laughter; and Hear, hear). It will be remembered that this surplus is to be made available for the national wants of Ireland. The present state of things with regard to it is this. The property of the Irish Church was estimated at 16,000,000*l.* The amount charged upon it from all sources in connection with the liquidation of the Maynooth Grant, the liquidation of the *Regium Donum*, and all the rest was taken at 11,000,000*l.*, and the surplus at 5,000,000*l.* I am told that no more precise estimate can be given at this date. Parliament has legislatively declared that that surplus shall be mainly, but it has not said that it shall be exclusively, devoted to the relief of corporal wants and necessities. If that devotion to corporal wants and necessities is not to be exclusive, I know no more just purpose to which the residue could be

applied than in aiding the funds of the new University. In our opinion it would be most just to make a call upon a portion, though it need only a very limited portion, of the surplus ecclesiastical property of Ireland. (*Hear, hear.*)

There are only two other points that I have to name in the very lengthened statement which I am inflicting upon the House. (*Cheers.*) We do not propose to introduce into this Bill any plan for the internal reform of Trinity College. So far as we are concerned, we wish to place in the Governing Body of Trinity the same confidence that they will effect, or suggest, all necessary reforms as has been placed in the Governing Bodies of the English Colleges. We propose to relieve it from its absolute dependence upon the Crown; and to place it upon the same footing as that on which the Colleges of Oxford and Cambridge now stand—namely, the footing on which they are authorised to prepare schemes for the regulation of their own government, which schemes, when they have gone through the ordeal of being passed by the Queen in Council, may have the force of law. As I am reminded by my right hon. friend (Mr. Cardwell), we have of course framed clauses for the purpose of at once opening the offices and emoluments of Trinity College, without any religious test. I took this matter so much for granted that I had almost omitted to mention it.

The Bill, contains no plan for the internal reform of Trinity College.

I have thus ventured to sketch the measure we propose for establishing a free, if I may not say an emancipated, University of Dublin. Let me say a word or two now as to the future position of the Colleges in that University. Trinity College, as I have shown, will undoubtedly no longer have the exclusive power of granting degrees, though it must always largely influence by its intrinsic weight the movements of the University. It will have a certain diminution of income by the contribution we shall take from it; and it may, I grant, with respect

Future position of the Colleges in the new University.

especially to its non-resident students, undergo a certain diminution in numbers, and thus the amount of its voluntary payments. But what will it have upon the other side? In the first place, it will have, as I hope, a termination to controversy—at least to all political controversy. It will remain, as I trust, in its outward dwelling unchanged. There will be nothing to break the course of its traditions. Long—I trust for generations and for ages—it will continue to dispense, more unrestrainedly than ever, the blessings of a liberal culture. It will enjoy self-governing powers, subject only to a reasonable control, and free, I think, from all apprehension of vexatious interference. It will undoubtedly receive some new form of constitution, in which the important and valuable Working Body of Trinity College will exercise far more power than it exercises now, which, indeed, is only moral power, whereas the actual power of the actual Teaching Body of Trinity College, if I understand aright, is none whatever. The present University statutes and the existing system of examination in Trinity College will necessarily form the starting-point for the proceedings of Dublin University, and it will be for the Council of Dublin University to consider how far these may require either expansion or modification. Trinity College will have the means of being heard in the Council, because there will be more, many more than 150 of its members—of the matriculated students of Trinity College—who will be members of Dublin University; and it must therefore have the power of sending two members to the Council. Its students will have access to a large number of additional emoluments. But here arises a question. Is it fair that those who already possess the rich emoluments of Trinity College should have free access to the emoluments of the University of Dublin, such as I have sketched them? The fair rule, as we think, will be this:—In our opinion it would not be right or wise to enact any exclusion of any

person belonging to the University from competition for the emoluments of the University in respect to his belonging to any particular body, however richly endowed; but we propose to provide that no holder of public academical emoluments in Ireland—and in the interpretation clause we have defined what we mean by public academical emoluments—shall hold any one of the emoluments, encouragements or rewards of the new University, without surrendering the prior academic emoluments which he holds. The effect will be that a member of Trinity College will have everything thrown open to him; but he must not hold both his own and the University emoluments. He must take his choice, and I suppose he will, whichever it may be, take the best. This limitation of pluralities, so to call them, has reference to emoluments of encouragement and reward, not to teaching offices. For example, *(A laugh.)* With regard to the Junior Fellows of Trinity College, there will be no such limitation, for it would be absurd to apply the rule to a Junior Fellow receiving only 40*l.* a year—and, I believe, 40*l.* Irish *(a laugh)* from his Fellowship, and the rest of his income from his labour. Trinity College will have, upon the whole, access to a large number of academic emoluments; and, in common with every other College in Dublin, and especially with the Roman Catholic University College, it will enjoy one, as I think, very great advantage to which I have not yet referred. The University will place at its doors, not an absolutely complete, but a nearly complete, staff of professional chairs. These chairs will, I hope, be held with tolerably liberal remuneration by men of high reputation, and it will be in the power either of Trinity College, or of the Roman Catholic College, or of any College, to consider whether it shall be at the expense of maintaining chairs, which may in certain cases entail a corresponding charge, heavy in proportion to their importance; or whether it shall avail itself, without any

College and University emoluments cannot be held together; the Junior Fellows of Trinity College excepted.

the main part of our duty. It is one thing to clear away obstructions from the ground; it is another to raise the fabric. And the fabric which we seek to raise is a substantive, organized system, under which all the sons of Ireland, be their professions, be their opinions what they may, may freely meet in their own ancient, noble, historic University for the advancement of learning in that country. The removal of grievance is the negative portion of the project; the substantive and positive part of it, academic reform. We do not ask the House to embark upon a scheme which can be described as one of mere innovation. We ask you now to give to Ireland that which has been long desired, which has been often attempted, but which has never been attained; and we ask you to give it to Ireland, in founding yourselves upon the principles on which you have already acted in the Universities of England. We commit the plan to the prudence and the patriotism of this House, which we have so often experienced, and in which the country places, as we well know, an entire confidence. I will not lay stress upon the evils which will flow from its failure, from its rejection, in prolonging and embittering the controversies which have for many, for too many years been suffered to exist. I would rather dwell upon a more pleasing prospect—upon my hope, even upon my belief, that this plan in its essential features may meet with the approval of the House and of the country. At any rate, I am convinced that if it be your pleasure to adopt it, you will by its means enable Irishmen to raise their country to a height in the sphere of human culture such as will be worthy of the genius of the people, and such as may, perhaps, emulate those oldest, and possibly best, traditions of her history upon which Ireland still so fondly dwells. (*The right hon. gentleman resumed his seat amid loud cheers.*)

# SPEECH

OF THE

RIGHT HON. W. E. GLADSTONE,

ON THE SECOND READING OF THE

## UNIVERSITY EDUCATION

(IRELAND) BILL.

IN THE HOUSE OF COMMONS,

MARCH 11, 1873.

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## UNIVERSITY EDUCATION (IRELAND) BILL.

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MR. GLADSTONE: Sir, I have listened, with interest of course, but with some curiosity and some surprise, to the speech of the right hon. Gentleman. How much of it there was that did not refer at all to the Bill before the House; and how much of it there was, in that portion of it which did touch the Bill, that seemed to hold in his mind a place disproportionate to its real moment, in comparison with the other provisions of the measure! For no less than half an hour the right hon. Gentleman dwelt upon the question of the Theological Faculty in Trinity College; though I may state that I have never heard of a Theological Faculty in any College whatever. Faculties, according to my understanding of the matter, are in Universities, not in Colleges. But that is a remark in passing. For half an hour he dwelt upon the Theological Faculty in Trinity College, and for half an hour upon concurrent endowment and confiscation. Why were two-thirds of the oration of the right hon. Gentleman devoted to questions which, solve them how he would, and handle them how he would, could contribute so little to the practical solution of this difficult question? I looked a little further. I sought for a key to the speech of the right hon. Gentleman. First, I notice his description of the effects of confiscation; and I congratulate the right hon. Gentleman upon this—that although he has still many hard

words for the policy of confiscation, yet its features are gradually coming to be mitigated, for the last time that I heard him upon the subject I think was when he declared that the consequences of the application of that policy to Ireland would be far more formidable than the consequences of a foreign conquest. The change is encouraging. In a little more time the right hon. Gentleman will be enabled to view confiscation with considerable indulgence, if he makes the same progress in future years that he has made since his earlier declaration. But what is more important is the observation of the right hon. Gentleman upon concurrent endowment. Concurrent endowment, he says, is dead. Twice he said it was dead. But it may revive under the potent charms and the wand of a magician. Undoubtedly the emphatic monosyllables of the right hon. Gentleman were employed, in order that hereafter, in case of need, we might be reminded of his having said that concurrent endowment was dead. This was necessary to give the proper colour to the general effect of his argument. But why did he summon in stately array the great names of Mr. Pitt, of Lord Russell, of Lord Grey, and of Sir Robert Peel? Why that elaborate eulogium upon concurrent endowment? Why that exhibition of the difficulty of constituting a University without a Faculty of detailed Theology? Why that argument to show that a learned teacher must necessarily trench upon Theology while dealing with other subjects? Why, except to lead the minds of his hearers to the conclusion that there was one satisfactory solution—one mode, and one mode only, of dealing with the question before us and of escaping from its difficulties—that, namely, of erecting different Universities for different persuasions in Ireland, each of them equipped with its Faculty of Theology, and thus of proceeding upon the principle of concurrent endowment.

I shall have occasion to return to the policy of concurrent endowment; but, in the meantime, it will be remembered that even at this moment and in the year in which we live

the right hon. Gentleman dwells with such fervour and with such fondness upon the recollection of the past history of this scheme, that I appeal to any man whether it is not still a living idea in his mind—whether he does not still seem to cherish in his breast the hope that it may be given to him to revive it and make it a practical reality.

Sir, I beg to decline the honour the right hon. Gentleman gives me of having been a disciple of concurrent endowment. He thinks me bound to the strict inheritance of the ideas of Sir Robert Peel, with regard to whom, however, I may observe, he has not proved that Sir Robert Peel ever declared himself favourable to that principle. He states that I suddenly changed my mind about concurrent endowment in 1868. He is entirely mistaken, and has not produced the slightest proof of the allegation. He says he thinks as a general rule it is a great waste of time to offer explanations. Yes, Sir, but the right hon. Gentleman makes an exception to that general proposition; and he evidently thinks, for he just put it into practice, that it is not at all a waste of time to make explanations, provided you offer them about five years after the event, when the memory of gentlemen has become dim and indistinct with regard to the particulars, and when, consequently, a reasonable-liberty is assured of affixing to the circumstances such colour as may, upon the whole, be most suitable to the occasion. But I have much to do in discharging the duty incumbent upon me, and I should not have made this reference to the general scope of the speech of the right hon. Gentleman but for the lessons it has conveyed to my mind, the warnings it has given to me, and the warnings which I believe it will carry forth to-morrow to the people of this country.

A word or two now about the Amendment of the hon. and learned Member (Mr. Bourke). I thank the hon. and learned Gentleman who proposed it, to whom I never listen without pleasure, for the kindly tone of the remarks with which he introduced his proposal. I am afraid I

cannot say much for the Amendment, and it is quite unnecessary for me to say anything against it, for I presume it will be negatived with the consent of all, including even the hon. and learned Gentleman himself. Neither is it necessary for me to dwell at any length upon the speech of my noble Friend the Member for Calne, who seconded this Vote of Censure with a modest apology for his own youth and inexperience; but I would say that perhaps that apology was scarcely necessary. We are aware that in other and darker ages it was the custom of the older members of the human family to censure and even to chastise the younger. We live in more enlightened times, and it may be quite proper that that custom should now be reversed; if a new experiment is to be made, I know of no one who, apparently, will make the trial with greater satisfaction and confidence in his own mind than my noble Friend.

The right hon. Gentleman has charged upon me the responsibility of having introduced warmth into the discussion of this question, and he grounds his charge upon an expression I used at the commencement of the speech with which I introduced the Bill. I then said that the subject I was proceeding to deal with was one vital to the honour and existence of the Government. I am truly sorry, and truly penitent, if I really used that expression without necessity; but the right hon. Gentleman should bear in mind the circumstances under which we approached this question. In 1869 we gave all our energies, and asked Parliament to apply a great part of its valuable time to the question of the Irish Church; in 1870 we took exactly the same course for the first four months of the Session with regard to the Irish Land Question. But at that very period the hon. Member for Brighton felt the spirit within him calling on him so strongly to deal with the question of the Irish Universities that he presented to us a project, despite our promise to deal with the question, which it was impossible for us to accept, because in everything except what related to tests we looked

upon it as a retrograde and anti-reforming measure. We were compelled, therefore, by the engagements which we had given, and by our own sense of dignity and of duty to resist it ; but the resistance offered by us to that measure for three successive years assumed the character of an appeal to a Vote of Confidence from the House, and it was these circumstances which gave to the Bill the place it now holds, and which led me to believe that in speaking of it as a subject vital to the honour and existence of the Government I was giving utterance to little more than a common-place within the common knowledge of everyone who heard it. If I was wrong, it was a grave error. I do not believe it was wrong, and I do not believe it was by my words that the question was placed in the position it had taken long before. I trust I cannot be justly accused of introducing heat and difficulty into this debate. At least I am conscious that this is a question which it is totally impossible for us or for anyone to solve, if propositions intended simply as academic proposals are to be viewed in the glare and heat of political and religious jealousies ; if matters to which we attach a slight importance are to be studiously magnified and represented as the vital essence of the Bill ; if the atmosphere in which we here live and move is upon this occasion to be one of fever and of passion, such as it has appeared to be from three or four of the speeches we have heard ; but, I must in fairness say, not from speeches we have heard from the opposite side of the House. The effect of such methods of proceeding must simply be to render progress impossible. Remember what University legislation is. Remember that in the case of Oxford, when we first dealt with the subject for England, though there was no political heat or passion whatever, yet, from the complication of the details of the question, we had to give, I think, some four-and-twenty nights of the time of Parliament before we could dispose of the Bill. I now on the second reading of this Irish Bill, address a House crowded from floor to roof, and intensely animated with expectation,

not, indeed, as to the speech that I am about to make, but as to the Division which is to follow. But on the second reading of the Oxford Bill, which corresponded in many of its provisions, though it was different in many others from this measure, I well remember an observation of a right hon. Baronet opposite, that both he and I were addressing empty benches. I do not believe there were 40 Members in this House at the time when we came to the close of the Debate, so entirely was it liberated from anything like political prejudice. It afforded an indication of the intrinsic difficulties of the the subject; and these difficulties, if inflamed by passion, will readily mount up to impossibility. In introducing this Bill I made an appeal to the House for a repetition of that indulgence, of that candid and fair interpretation with which we were met, as I rejoice to acknowledge, in every detail of the questions of the Irish Church and of the Irish Land. It was by that candid interpretation, it was by that mutual confidence among political friends, but it was also by a great degree of candid interpretation throughout the House, and a temper which never deviated into heat or violence, that we were enabled to deal with those important measures and to carry them successfully through the House. I am afraid it is impossible to hope that such can be the case in the present instance. But this I will say, we have done what we could, we have endeavoured to arouse no passions, we have endeavoured to impute no motive, we have sought to avoid everything inflammatory, to give a fair construction to the motives and to the proceedings of every man; and so we will persevere to the end, although we have known from the first, and although we know now, that if there be in this House but a few Members who are unhappily determined to mix this question at every point with the elements of political and theological passion, success will be impossible, and failure, with all the public mischief it entails, is the only result which awaits either us or any other Government that may attempt a solution of the question. I have spoken thus far vaguely

of the Members to whom I refer. But I think it better to be perfectly outspoken on this occasion. I refer to several, but most of all, perhaps, to my right hon. Friend the Member for Liskeard. Sir, I never heard a speech in this House that appeared to me more unhappily directed to frustrate every useful and beneficial purpose of legislation, to disappoint every desire that a wise and beneficent Parliament has entertained in regard to education in Ireland. [Mr. HORSMAN: No, no.] I do not expect my right hon. Friend to agree with me. How did my right hon. Friend proceed? He began with a chivalrous precipitancy by announcing in *The Times* that the Bill was shortly to take its place as an ornament to the Statute Book. He then became uneasy as to the intentions of the Roman Catholic Prelates. Next it appeared that the patience of his mind and the balance of his judgment had been subverted by terrific apprehensions. The first sign of that was in questions put to me in this House with a feverish anxiety—"Are the Roman Catholic Prelates prepared to accept your Bill as a settlement?" His apprehensions had by this time passed into a phase of violence; for now this measure, which was to have been an ornament of the Statute Book but a few days before, was transmuted into a monster such as was unfit to be presented even for a moment to the view of Parliament. That which before the Episcopal condemnation was fair and gracious in the eyes of the right hon. Gentleman was now not to be allowed even to come within the sphere of discussion; and we were censured for not having buried it without another word in absolute and eternal silence. That I thought was pretty well; but my right hon. Friend went on to surpass himself. He censured us for not having communicated with the Roman Catholic Prelates. Having done this he went on to censure us for having communicated with them; for he said, I think, the most important clauses of the Bill were not the work of a Protestant draftsman. I put my own construction on that expression, and I think its meaning was tolerably



obvious to the House. Having thus censured us for two contradictory reasons—one of which, the negative, was true, while for the other there is not a shadow of foundation—he passed on to a declamatory invective against the Bill as a measure calculated to forward the purposes of the Roman Catholic Prelacy of Ireland. That was the description which my right hon. Friend bestowed on the Bill, which is going to be opposed almost *en masse*—happily not quite *en masse*, but almost *en masse*—by the Roman Catholic Members from Ireland, for the very reason that they think it hostile to those purposes. My right hon. Friend will march to night into the same Lobby, shoulder to shoulder with the men whom he contradicts. But, though I am not satisfied with the reasons either of the one or of the others, yet as between him and them I must say they have far more just ground of opposition than my right hon. Friend, because the objects of the Roman Catholic Prelacy, so far as they are not in our view justifiable, are not promoted by this Bill; so that, at least, they are not tilting at a phantom, but at a reality. The right hon. Gentleman would have done us a favour if, when he made this charge and caused the alarms among the prejudiced portion of his audience—and there is, of course, in every Assembly some prejudiced portion, however finished may be the average of its mental accomplishment—he would have consented to come down from his lofty flight to the region of fact, and if, after all this invective and declamation, he would have but spent, say, a poor five minutes in the work of argument. When he first wrote to *The Times* he said he had not got the Bill; but when he got it, what did he do? Did he read it? If he did, his speech bears no trace of the study; and the whole of his tempestuous condemnation is really grounded on the pure *ipse dixit* of my right hon. Friend. I think he will understand that in commenting thus severely upon the speech he has made, on account of what I think the public mischief such a speech is likely to entail, I have no imputation to make upon him except the misuse of his power; and my

object is to enter a firm and final protest against the method he adopted in dealing with a subject which requires pains, care, patience, and dispassionate impartiality.

I must now briefly remind the House—because we have travelled so far in many respects from the original basis of discussion—of the nature of the allegation upon which the Government founded their case for the Bill. Our first and original allegation was that there is a grievance of conscience in Ireland with respect to University education; and I am glad to say, whatever else may have happened, some ground has been gained in this respect. We have heard the avowal that such a grievance does exist from the hon. Member for Brighton, and this, if I recollect right, for the first time. I may say that generally an admission of that kind has been made, and therefore I now assume its undisputed existence, without entering into particulars. I regard that as a valuable starting-point from which to proceed to our proper conclusion.

Further, we have alleged that there is need of academic reform in Ireland. I showed that sufficiently by figures on the introduction of the Bill—figures to which I will briefly revert, on account of their simple and conclusive character; and I will also refer to the only attempt that has been made to meet the effect of those figures. I have here to do with my hon. Friend the Member for the University of Edinburgh, of whose speech generally I will say I have no fault to find with the spirit in which it was delivered. With its main tendency, and with most of its arguments, I entertain a warm sympathy, but from its statistics I entirely differ; and I am sorry to say they suggest to me that, after all, perhaps, the Roman Catholic authority, whoever he was, may not have been so very wrong who said arithmetic itself ought to have been placed in the list of disputable subjects. I showed, Sir, and this has not been questioned, that the Roman Catholic students in Arts in all Ireland—I mean University students in any sort of collegiate training—were, according

to the latest Returns, 145, from a population of 4,500,000. In confining myself to students in Arts, I can assure my hon. Friend I do not mean to underrate the importance of professional studies; but I meant that which he means, and that which he has ably contended for—namely, that professional studies ought to be grounded on general culture; and on this I found my further proposition, that the training in Arts, inasmuch as all ought to pass through it, affords the proper measure of the number of true University students in a country at a given time. I showed that in all Ireland there were of these students in Arts, all persuasions included, only 784. I showed that, including 400 more of its members, with whom the University of Dublin deals now only as an Examining Board, the number comes but to 1,179; that in 1832, when the Queen's Colleges did not exist, the number had mounted up to 1,461; and that, notwithstanding the additions made by the Queen's Colleges, there was a balance of loss upon that total number of students in Arts of 282 as the aggregate result of the educational movement of the last 41 years. Now, it has been said that I ought to have noticed the decrease of the population. The cheapest degree in Arts in Dublin costs nearly £100, as I am informed. This is in hard cash, and does not include the serious expense of resorting to Dublin for a number of examinations at separate times. Now I desire to know how many emigrants would have taken such a degree? I find also that the great bulk of this decline preceded the decay of population. The entrances at Dublin in the years 1830-34 were 433 annually, and in 1835-9 they were only 353; and there was no decrease of population, but a great increase in that period, while the students of the University were rapidly declining in number. They continued to fluctuate until at the time of the opening of the Queen's Colleges they went down to 271 as their annual average.

But it is said also that there has been so much intercourse with England that large numbers of students came

into England at this time. It is totally untrue. There was no increase at all in the University of Oxford during the time when the numbers in Dublin were thus grievously declining, and the increase at Cambridge—for there was a slight increase—was wholly insignificant; not to observe that it was really occasioned by an English demand. Of course, it is obvious to ask, if intercourse with England had had the effect of damaging the numbers at the Dublin University, why did it not damage the numbers at the Universities of Scotland, where the intercourse was even more easy, and where there was no such phenomenon at all? But here my hon. Friend the Member for the University of Edinburgh comes in with his answer. I affirm that he shakes none of my facts, but what does he say? He says that there are but 740 degrees in Arts in England. My hon. Friend is, however, quite wrong. In 1872 there were in Oxford 396, in Cambridge 467, in London 78, of an extremely high order, making 941, without any allowance for the University of Durham, the number of whose degrees I have not obtained. My hon. Friend then says there has been a general decrease in the number of students at our Universities of late years, and that Ireland was a very poor country. Instead of a general decrease there has been a steady increase in the number of degrees in Arts in England. Oxford and Cambridge gave 405 degrees in Arts in 1820, 599 in 1830, 668 in 1840, and 863 in 1872. But, says my hon. Friend, "Ireland is a poor country." If, however, she is a poor country now, she was poorer still in 1832, and yet in 1832 she had a great many more students than at present. But we have not yet done with the argument: and I would in the next place address a plea *ad misericordiam* to my hon. Friend. He pointed out to us a large increase in the number of the attendances at lectures in Dublin, and I am glad he did so, for it is the result of an academic reform, real as far as it goes. I am afraid that Dublin had previously been extremely lax in those matters of academic discipline. But

my hon. Friend, in spite of the decrease in the number of degrees, tells us that there is an increase in the number of the attendances at lectures of Professors, and therefore in true academic learning; and he holds that everything else is desultory cram, except the attendance in the lecture-room of the Professor! I am now going to draw largely on the indulgence of my hon. Friend. And I will even venture to call attention to his language as an indication how disposed we are each of us to advance rather excessive pretensions on behalf of our own particular calling, and how even a broad and comprehensive mind becomes for a moment narrow when dealing with its claims. For myself, I humbly pray allowance may be made. I never had the honour, except once, when at Oxford, of attending a Professor's lecture at all. My education, such as it was, and it might perhaps have been better, was not had by desultory cram, or cram of any species, but by hard work. Morning and night I worked as hard as I have ever done in the House of Commons, and I beg my hon. Friend, if possible, to allow this ray of light to enter his mind, where there already are so many, and to admit the belief that it is possible to learn something of a subject even elsewhere than in the lecture-room.

And now, Sir, I come to a more general review of what in France is termed the situation. I think that the House, or that all who have given an eye to it, will agree with me that in the situation so understood there have been features of the highest dramatic interest. What a catastrophe, Sir—I do not underrate it or disguise it—has it not undergone? This Bill was introduced not yet four weeks ago, in, I hope, a conscientious, but certainly a prosaic speech. It was received with almost universal favour. It will be recollected from what various quarters there came declarations that it was a just measure; a measure, considering all things, moderate; and a measure sure or likely to receive the approval of Parliament. The most conclusive proof of the truth of the description I am giving—a proof that I am not

too highly colouring my case—is to be found in the attitude of that valuable class of the community who are called waiters on Providence. A morning or two after the introduction of the Bill, there was not a waiter on Providence in the whole of this vast metropolis who was not its decided partizan. Those waiters on Providence are like the loose, rolling cargo of a ship, certain in heavy weather always to give their weight against the vessel. The consequence is, that whereas those three weeks ago we had a whole army of them, numerous as the host of Xerxes, on our side, we have not a solitary individual of that species to sustain or cheer us now. What, then, is the cause of the change which has come over the general temper and course which it becomes the House of Commons to pursue? No one will say that the House was misled as to the Bill by the speech which introduced it. My right hon. Friend the Member for Liskeard, who I think endeavoured to be ingenuous throughout his statement, though he has referred to my speech and to the Bill, did not say or insinuate that my speech was other than an attempt to give a fair description of the Bill. That change of opinion, which I do not disguise, is one that well merits, and indeed calls for, some examination; and that examination is to be made on the question of to-night. The question of to-night is this—Shall we go into Committee on this Bill? And in our answer, Sir, to that question we shall be governed by one single motive, by the desire to endeavour now to do what some years hence we shall wish that we had done. Well, what are the arguments that have been urged against going into Committee on the Bill? I will endeavour to present them in a spirit of fairness. But before I leave altogether the branch of the subject on which I have been engaged, I wish to apologize on one point to my hon. Friend the Member for the University of Edinburgh. The figures which I quoted in reference to the students of the Scotch Universities were inaccurate; and I believe this was the only inaccuracy, among a multitude of details, into which I fell. I wish to

say that the Scotch Universities, in my opinion, if we are to deal rightly with this question, ought to be put out of our view altogether. They are Universities *sui generis*. They do not stand on the particular merits of their own constitution; they stand, I have had reason to know—because I have been for six years an official servant of the Scotch University which my hon. Friend adorns—they stand on the conscientious zeal and ability of their Professors as men, but also and principally upon the rooted desire of the people for learning, and their determination to learn by the best means that are within their power. We have nothing like that, unhappily, in England. In Ireland the desire exists, but the means for its gratification have not been afforded. The Scotch Universities work; and why? Not because of this or of that particular in their constitution, or their regulations; they work, so to speak, of themselves, by the zeal and the energy and the desire of knowledge which happily exists among the people.

Now I come to the arguments used against our going on with this Bill in Committee. I will endeavour to make the shortest and most accurate recital of them, and I will only dwell on those which, as the House will see, require a careful examination. One argument is, that we are going to lower the standard of learning. Now, Sir, I contend that when we enter into Committee we shall show that we are going not to lower, but to raise the standard of learning. Either we are going to have the competition of two Universities, or we are going to have only one University. The competition of two Universities, by your own admission, keeps that standard where it is. If we are to have only one University, we do not refuse the challenge, and we ask, can anything be more conclusive than the proofs which have been produced and have been sustained from every quarter, that the University of London, although it be an Examining Board, and nothing but an Examining Board, does raise, and has raised the standard of learning? Perhaps I might go further and say

that possibly it supplies the principal lever by which we may hope to see that standard raised in the older Universities of the country. This in my judgment is clear—that if the University of London has a fault, it is that its examinations may be too stringent, and its standard of learning too high. I will now leave the charge, that the Bill will lower the standard of education, with this observation, that it is a charge which seems to imply that in this country or in Dublin we have had a prodigiously high standard, whereas, in truth, all our standards do not give cause for exultation, but call for apology.

The second reason why we are told the Bill should be given up is on account of the opposition of Ireland. And this is plainly, in my opinion, the consideration that has principally acted upon the minds of Members of this House. Now, let us consider what this opposition of Ireland is. It has been most inaccurately stated in this House—indeed, I am not sure that in any one particular it has been correctly described. My right hon. Friend (Mr. Horsman) says the Roman Catholic Bishops have denounced the Bill. But the last clause of the document in which they have expressed their opinions is to this effect—“That we address to the Imperial Parliament petitions embodying these resolutions, and praying for the amendment of the Bill.” Now, it cannot be amended at all until we go into Committee; it is in Committee alone that we can ascertain what are the points on which we can meet the wishes of any class of critics or objectors, and what are the points on which we cannot. Lord Granard, a correspondent of mine, has favoured me with a telegram of enormous length—I am afraid a very expensive telegram—which states that the Council of the Roman Catholic Union has come to resolutions in conformity with those of the Bishops. Having stated thus much, I have done my duty to the Council of the Roman Catholic Union. Then comes the Petition of the Senate of Dublin University. I am not quite sure, but I rather believe that this Petition consti-



tutes what may be called the maiden speech of the Senate of Dublin University. The Senate, as a body, has been rather content with an existence upon paper than disposed to walk out into the rough, every-day, working world; but on this occasion it has summoned up all its energies, and has petitioned to the effect that the House will not pass the present Bill. What, however, was the suggestion of the Governing Body of Dublin University, a body for which, notwithstanding the closeness of its constitution, I entertain, and have professed, a sincere respect? Was that the form of Petition sent down to the Senate by the Governing Body? No; the Petition, as I am informed, was that the House would not pass the Bill in its present form. It was also, therefore, a Petition for the amendment, not for the rejection of the measure. I now come to the Presbyterians, and I wish the hon. Member for Derry were in the House—I am glad now to be able to perceive him—for while acknowledging the ability of his maiden speech, I am obliged to comment on some portion of it. The hon. Gentleman descended into the arena of this House armed with the triple shield of a fresh untainted modesty. But he misunderstood or mistook the effect of a document on which he relied, perhaps from some momentary hallucination, or some timidity graceful in Parliamentary as in natural youth, which he will in time get over. I am quite certain the strange error into which he fell could not have been owing to design. He has not yet had time to learn the ways of the wicked world. The hon. Gentleman did certainly experience the most remarkable fortune. He had in his hand not a declaration, as I believe he described it, of the Presbyterian Body—for there is no such declaration—but a document—and one, no doubt, of importance—which issued from the Committee of a General Assembly of the Presbyterian Body appointed for the purpose of considering questions connected with education. They had no power to speak for the body to which they belonged, more than a Committee of this House can speak for this House; but still

their opinion is of weight. And the hon. Gentleman read out four resolutions which objected to various propositions in this Bill. He had before him not four resolutions, but eight, and he said he would not read the eight. He thought they were too long, and he had a delicate respect and consideration for the time of the House, which cannot be too much commended. But how extraordinary it was, Sir, that instead of beginning by reading the first four of them, and then, as he found the operation become a long one, leaving off, the hon. Gentleman skipped lightly over the whole of these, and then read out at full length the other four. Sir, the first four are of a character totally at variance with—that is to say, of a totally different effect from—the last four. I do not think I need read them all, but I will read the first. [*Cries of “All,” and “Read, read, read!”*] Very well, Sir, I will “read, read, read,” if only the hon. Member will “hear, hear, hear.” [*Laughter.*] Here is the first resolution—“We are of opinion that through the University of Dublin any person in Ireland, wherever educated, should be enabled to obtain a degree, who can pass the necessary examination.” Well, Sir, there is a proposition most distinctly in favour of the fundamental principle of the Bill, which allows access to the University and its degrees otherwise than through Trinity College. [*Laughter.*] I repeat—of the fundamental principle of the Bill—namely, that instead of obstructing, as we now do and taxing and impeding the access to degrees of those who pursue a mode of education that Parliament does not altogether approve, we ought, on the contrary, to make the way as easy for them as we can, knowing that they will derive the greatest benefit from an University degree; and that is the object we have in view in this Bill. There is another resolution which the right hon. Gentleman did not read—probably, not because it was one of disapproval. It is as follows:—“The Committee disapprove the proposal in the Bill to leave Trinity College with a large proportion of its revenues, and are of opinion that provision should be made

“therefrom for the more liberal support and encouragement of “non-sectarian education in connection with the Queen’s “Colleges.” I proceed with the other resolutions. “They “approve highly”—and this part I would particularly recommend to the attention of the right hon. Gentleman the Member for Buckinghamshire—“of the proposal of the Bill to “separate the Theological Faculty from the University of “Dublin ;” and, finally, they believe that “Trinity College “should be opened, so far as that its secular advantages may be “made available for all Her Majesty’s subjects, without reference to creed or sect.” I have now, Sir, supplied what was so grievously lacking in the speech of the hon. Member for Derry. Well, Sir, the hon. Gentleman is acquainted with the town of Derry ; and the Presbyterians of Derry send me here a statement, the first clause of which expresses their general approval of the objects of the Bill. I only quote these things to show the spirit of exaggeration and inaccuracy—and I have never seen or known so much inaccurate statement in any previous debate—which has entered into this case, and has injuriously modified and perverted the leading effect of the evidence which has been brought before us with regard to the reception of the present Bill, which, as I have thus far shown, is rather one of qualified criticism than of unqualified resistance.

But, further, it may be said, there is the opposition of the Irish Representatives. And, Sir, I fully admit that this, when authentically shown, is a very grave matter. But, at present, we know nothing except from the sanguine self-congratulations of the right hon. Gentleman opposite upon the delightful combination which he anticipates in the Lobby by-and-by, and from the unfavourable speeches—and some of them, I admit, have been very unfavourable, which we have heard from a number of them. In my opinion, the position of the Irish Representatives, if their opposition were well ascertained to be incapable of being, in any degree, softened in Committee, would become a grave fact to be

seriously weighed by this House. I by no means say at this moment to what conclusion it should lead. But I will venture to say that it would be in the highest degree premature, un-Parliamentary, and impolitic, with reference to a measure of this kind, on a subject where the Irish Representatives themselves, in a large majority, desire legislation, one to which successive Governments have had to address themselves for seven or eight years, and with regard to which we are all in one sense or another so deeply involved—it would, I say, even be absurd for us to treat that as a reason for rejecting the Bill at this stage. We ought rather to see in Committee what we can do towards the conciliation of apparently conflicting views when we come to the manipulation of the details. But who are all these who have, up to this moment, spoken? The Irish Roman Catholic Prelates, the Senate of the Dublin University, the Presbyterians of Derry, the Committee of Presbyterians appointed to consider education. I am scarcely bold enough to name the Petition from Magee College. For the right hon. Gentleman the Member for the University of Dublin, who is extremely warm on the duty of speaking with respect for Ireland and Irish feelings, calls it the “miserable Magee College”—a College which has never put its hand into the public purse, which requires six years’ training for its pupils, though it unfortunately has very few of them, and which, nevertheless, according to the uncontradicted statement of one of its Professors, has educated and sent out into the world one-third of the whole number of Presbyterian ministers ordained in Ireland since the period when it was opened. But, Sir, what I affirm is, that these bodies, taken all together, even were their opinions more hostile than I have shown them really to be, are not the people of Ireland, do not bind the people of Ireland, and do not warrant our summary rejection of a measure which aims at conferring a great boon on the people of Ireland.

So far, the greatest objection taken to the second reading of the Bill has been the objection taken on what my right

hon. Friend the Secretary for War has described as matters of detail, or matters which are open to consideration. The right hon. Gentleman (Mr. Disraeli) has paid particular attention to the speech of my right hon. Friend (Mr. Cardwell), and to some words which I spoke before the adjournment of the House, which I thought to be a confirmation, but which the right hon. Gentleman assumed to be in contradiction, of that speech. The general effect of the speech of my right hon. Friend—with which speech I entirely agree—was to show that it was a wise course in a question of this character, where it is difficult to retrieve ground once lost, to go into Committee, to compare our several notions and demands at close quarters, and to see what we can effect towards bringing them into harmony. But the right hon. Gentleman meets us with a most formidable objection, founded, as he says, on his long Parliamentary experience. He alleges that for the opponents of a Bill, it never answers to go into Committee. It is the voice of the charmer and the tempter that bids you go into Committee. Do not be beguiled. When you get into Committee, there is nothing to be gained. The Bill of a Government always comes out, he says—in its substantial features—the same as it was when it went into Committee. And this opinion is founded on the deliberate recollection, at the end of our four nights' debate, of his long Parliamentary experience. I will not take the whole advantage which the right hon. Gentleman offers me. I will not go back over the whole of the right hon. Gentleman's Parliamentary experience. I will only revert to the year or two which immediately preceded the existence of the present Government, and I will, from the records of that limited time, supply him with an instance which at once shatters to pieces the fabric of his argument. There is no such thing, it seems, as attempting with success to alter a Bill of the Government in Committee. Well, Sir, there was a Bill—indeed, there were two or three Bills on the subject of the Parliamentary representation—in 1867; but the last of these

Bills, instead of being still-born like its elder sisters, grew into vigorous life, and was read a second time. And what was the burden of the song or speech of the right hon. Gentleman on the second reading? From first to last, in almost every sentence of the speech, it was—"Go into Committee." Objection after objection had been taken, going deep down into the foundation and framework of the Bill, and every one of those objections was met by the counter-check of that reply "Go into Committee." And the right hon. Gentleman was nearer the mark then than he is now. I am afraid that the accumulation of his experience is such that he is beginning to have too much of it, and that he has actually unlearned the lessons which some years ago he acquired. I will not go over all the points of that Bill; but I think the experience of that year satisfactorily proves that where the sense of the House is strong, and an earnest intention is entertained, going into Committee may answer pretty well for transforming the framework, aye, the whole spirit and substance of a Bill.

Passing from that general argument, I am asked to say what was the meaning of the speech of my right hon. Friend. Some appear to contend that all the points, which my right hon. Friend referred to as being matters of opinion open to be discussed and to be determined in Committee, are matters on which the Government should have announced at once that they had changed their intentions. How is it possible that, on matters which involve such a multiplicity of details and of various considerations, we could have stated at once that we had changed our intentions, and could have bound ourselves anew and rigidly in each case to the adoption of a particular course? Take the one instance of the proposal to appoint the Lord Lieutenant of Ireland Chancellor of the University. In my opinion, that provision is but of slight consequence; because the Chancellor of the University of Dublin would still be as he has been what I may term an ornamental officer, and not one wielding

great academic powers like the Chancellors of Oxford and of Cambridge. But how is it possible for anybody to form a judgment upon the point, until the House has had an opportunity of comparing all the alternatives which may fairly be suggested? What we say is—"Come with us where we may have an opportunity of comparing calmly all these alternative methods." Instead of standing upon our dignity and saying that this, and that, and every matter is vital to our existence as a Government, we say—"We will meet you upon equal terms; we will lay before you the reasons that have guided us upon the question. We are not only perfectly ready to listen to counter-arguments, and not only to accept changes which may be palpable improvements, but, where we can, to consult the general wishes of the House, and to give fair weight to reasons, of which we may not see the force, provided they do not affect vitally the principles or the efficiency of the Bill." And instances similar to the one I have referred to are very numerous. I will only now mention two, which I do not think were mentioned by my right hon. Friend. In the first place, the influence of the Crown, or, as the hon. Member for Brighton terms it, political influence on the constitution of the University, has been objected to. The hon. Member for Brighton says there will be too much of this influence exercised under the provisions of the Bill. But others say, on the contrary, there will be too little of such influence. My hon. Friend the Member for Edinburgh University complains that while in the Queen's Colleges a Professor can only be dismissed in certain cases by the Crown, our Bill gives this power to the Council. Now, we are desirous of bringing these two opposing objections face to face in Committee. As far as my own leaning and that of my Colleagues is concerned we are in favour of keeping down to a minimum the amount of that political influence. We regret that we cannot at once constitute an independent academic body, free from political influence; but the necessities of the case do not permit us to propose it. We hope that in time the National

University will be able to acquire something more of a national character than it now possesses ; but to give to the present Members of the University of Dublin the charge of moulding it into a National University would in my view be a mockery.

Then another question of great importance has been raised with regard to what has been called the non-collegiate element in the Bill. It is said that the Bill proposes to permit the University to examine all persons coming from whence they may, and wherever and in whatever manner they may have been trained. To this part of the proposal some persons vehemently object ; but they appear altogether to forget that the University of Dublin does this very thing at this moment. The only check put upon the practice is a most objectionable one—namely, the very heavy cost to which non-resident students are put in passing the examination for their degrees. The University of London examines in this way, and it is impossible for us to determine in a peremptory manner what would be the exact course the House ought to take in this matter, although our own opinion on the general merits may be clear. Again, as to the retention of the separate existence of the Queen's University, I really had hoped that, in consequence of the ground on which I originally put it, that was a question which would have been discussed without the slightest reference to the bitter controversy that rages on the subject of mixed education. I said, and I am prepared to argue it without attaching to the argument unnecessary value, I am desirous that we should have an opportunity of laying before the House in Committee the reasons which led us to believe that it would be a great advantage to the Queen's University to be incorporated in a new, powerful, and extended University. We do not assume that we are demonstratively right. We have never stated this provision to be essential to the Bill, as everyone will recollect. But we thought the House should be in full possession of the arguments for the proposition, as well as the arguments against it, before coming to a decision. We are willing to go as far as we can in



meeting the views of Members with respect to the plan of the Government. We are gaining experience of course, as we proceed, and a more extended acquaintance with the views of the House and with the circumstances of the case gradually ripening around us. With regard to such provisions as those relating to Chairs in the several subjects of Modern History, Ethics, and Metaphysics, and to the power of preventing an abuse of liberty on the part of Professors and teachers, they have been introduced by us with a general intention that I am quite sure the House will appreciate. It is with regret that we find ourselves obliged to exclude Theology from the University. We further regret that we propose—not to exclude from the University, not to exclude from examination, not to exclude from honours, but—to exclude from the direct and authoritative teaching of the University the subjects of Modern History, and of Ethics and Metaphysics. But the intention of those proposals was simply this :—we knew that we had to deal in Ireland with a sore, and in some degree a morbid state of minds and feelings. We were desirous to make ample provision for protecting the conscience of the minority ; and even to sacrifice something of the integrity of the University scheme for the purpose of obviating the rise of jealousies, which, once awakened, we feared might be fatal to the well-working of the plan. That, surely, was an innocent, perhaps even a laudable purpose for us to entertain. Who, it may be asked, are the minority ? The minority, I admit, at this moment are Roman Catholics ; but how is it possible for anyone to say that they will always be the minority among the University students of Ireland ? I know not what the effect of a National University will be. I know this—there are Roman Catholics who are extremely confident in the energetic teaching of their Church, be they right or wrong, and who think they would become the majority of the students of this National University. And if they did become the majority of the students, they would have a perfect right so to become. But the conscience of

the minority would still claim respect, and be entitled to defence.

However, Sir, I must admit that these clauses have not been valued by the Roman Catholics themselves. Protests have come, first from one and then from another quarter, against drawing a distinction between these particular Chairs and other Chairs. These objections coincide with others taken by those who are extremely anxious for more complete academic instruction, and by those who have considered that in such an arrangement as we have proposed with respect to these Chairs there is involved an undue tenderness to the consciences of the minority. If the minority themselves agree, as they appear to agree, in this view, I have no difficulty in saying that I shall not think it necessary to adhere to that proposition. Another proposition of some importance has called forth a similar cross-fire of objections—I mean that relating to collegiate members of the Council. I will not trouble the House by referring to the explanation which I gave on the introduction of the Bill, and which was fortunately a pretty full one, of the design with which the plan of collegiate members was proposed by us. If any Gentlemen wish to be informed on the subject, and will refer to the 45th page of a speech which is in the hands of many of them, they will find those motives set forth there. But here, again, what has happened? A large number of persons object very much to the attempt to introduce these collegiate members; and the Government always saw that it would be absolutely necessary that their number should in any case be small, and that the other members of the Council must form its bulk and strength. But more than this has happened. One of the Colleges which it was the main purpose of the Bill to attach to the University of Dublin was the Roman Catholic College called the Catholic University. Now, we are informed that the Roman Catholic Bishops, independently of their influence and station, are the legal owners of the College, and as such they object and distinctly refuse to have it included

in the Schedule of the Bill. They make the same declaration with regard to other Roman Catholic Colleges; and that being so, it becomes utterly impossible for us to insist upon the proposal that collegiate members shall be attached to the Council. Nothing is more alien from our desire than to have any representation of collegiate members which should give to the Council a one-sided character. It is, therefore, not our intention to persevere with our proposal to introduce collegiate members into the Council. In withdrawing them we are really doing that which we very often find it possible to do when once we get to details—I mean we are meeting at once the objections of those who view the same subject from different points, and who for different reasons concur in the same conclusion. That is, perhaps, as much as it is necessary for me to say upon this class of subjects. I say of them generally, as was said by my right hon. Friend the Secretary of State for War—we wish to have the opportunity, with the exceptions I have stated, of laying our views calmly and impartially before the House. With that opportunity we shall be content. We shall gladly welcome Amendments which are improvements in the Bill; and Amendments which we think are not improvements in the Bill, when we find the prevailing sense of the House to be in their favour, we will accept, provided they leave untouched what we conceive to be the vitality and essence of the Bill.

Now, what is the vitality of the measure, what is the essence of the Bill? This question has been put to us from many quarters, and I will endeavour to answer the question; filling up, perhaps, with a more copious supply of particulars a slighter sketch which my right hon. Friend has already submitted to the House. First of all, it is essential to the Bill that there should be a complete removal of admitted religious grievances. I say admitted religious grievances, because we cannot profess to remove the religious grievance as it has been stated by those who contend that nothing short of concurrent endowment will remove it. I will show presently that some-

thing short of concurrent endowment would amount to a removal of the religious grievance such as we view it. We conceive that the religious grievance will be removed by opening the way to University degrees and University honours and emoluments within the University of Dublin, under an impartial and non-sectarian authority calculated to command the confidence of the whole of the nation, and without the slightest reference to the question whether the education of the person claiming the degree, and about to be tried as to the sufficiency of his knowledge, has been heretofore conducted under the influence of what is called a mixed or what is called a separate education. That is what we understand generally by the removal of the religious grievance. Then, with regard to the academic reform in the University of Dublin, what we conceive to be essential is, that the University and its degree-giving power, instead of being, in a manner entirely without example, the property, I must call it the monopoly of a single College, which has enabled that College to turn to its own exclusive benefit functions and prerogatives that belong to the State, shall be emancipated from its condition of subjection, and shall be placed for a time under an authority which may be thoroughly impartial, in order that during that time the composition of the University may gradually become such as to correspond with and comprise all that is best, and richest, and strongest in the character and composition of the Irish people, so that after a reasonable time has been allowed to elapse, the University may pass into a state of substantial academic independence. For that purpose the severance of the exclusive connection with Trinity College is necessary. It is necessary to open many portals, as was said by my right hon. Friend, instead of one. Colleges may be very well attached to the University without College representation, as they are now attached to the University of London. The effect of incorporation is that they are placed in relations of general respect and credit with the University, and likewise that those who manage

the Colleges have facilities for communication respecting practical arrangements which, in the case of the University of London, have been attended with great and conspicuous benefit. On what terms the non-collegiate members may be admitted individually to the University is also a matter deserving attention. Then, there is the question of the constitution of the new Governing Body, and also that of a competent endowment for the University which at present has not a shilling wherewith to bless itself, and which under the Bill of the hon. Member for Brighton remained absolutely without any property whatever to enable it to fulfil its purposes as a University. It should unquestionably be rendered able to discharge its proper functions as to granting degrees, as to the examinations necessary for degrees, and as to emoluments, rewards, and encouragements for those students who distinguish themselves. Finally, as was stated by my right hon. Friend the Secretary of State for War, we should greatly wish that the University should be completed by the possession of a proper teaching power. The Government has a hope that no jealousy may arise, either on the side of Trinity College or on the Roman Catholic side to prevent this consummation, because we greatly desire as was stated by my right hon. Friend, to establish a teaching organ, which might, without any mercenary competition, enlarge the means of attaining the higher University education in Ireland. From this sketch, allowing for some shades of difference on one or two points, the House will readily perceive what are in our view the essential parts of the Bill, as we understand them, with reference to the University of Dublin.

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deeply do I lament that by a deviation from their original policy the Roman Catholic Prelates have deemed it fit to make them the subject of something like anathema, and thereby have much restricted the benefits they were capable of conferring on the country.

Lastly, Sir, as regards Trinity College, the severance of the Theological Faculty must, in our opinion, be effected together with the severance, or rather the liberation of the University; and there must be, as I think will be admitted on all hands, considering that Trinity College has profited enormously for her collegiate purposes by the charges which she was enabled to exact by means of powers belonging to the University—there must be a fair and reasonable contribution from Trinity College for the benefit of her emancipated partner. Such are our views of what the College must yield. But we think it essential that there should likewise be left an honourable position, an adequate and liberal endowment, to Trinity College. What may happen in the distant computations into which this question may be carried I know not, but I certainly should regard it as a great calamity that anything should be done by the House, either at this time or any other time, to impair—I will not say the means which have been hitherto possessed by Trinity College in somewhat of a rank redundancy, but the means necessary for carrying forward the great purposes of education to which she is devoted. I think I have now given a very fair description of the essence of the Bill.

It will be tolerably understood from this description what are the portions of the Bill which we have filled in with a view to give it greater comprehensiveness and fulness; and it will also be understood that the liberty which we have claimed in Committee on the Bill we shall try to exercise in a reasonable spirit.

Now, with regard to endowment for a Roman Catholic College or University, there has been some variety of expression of opinion in this House from very different quarters, as

I freely grant. My right hon. Friend the President of the Board of Trade stated to the House that he regrets the state of opinion and feeling which makes it, in his judgment, totally impossible to ask Parliament for anything in the nature of endowment for a Roman Catholic College or University. The senior Member for the University of Dublin has gone somewhat further than my right hon. Friend, for he states, without hesitation, if I heard him aright, that he is favourable to a plan of concurrent endowment. My hon. Friend the Member for Waterford, in like manner, in his speech yesterday, did not disguise that which has long been the well-known bent of his mind on this subject: and my noble Friend the Secretary for Ireland, while he altogether objected to endowing a Roman Catholic University or College, on the ground that it would introduce inequality, stated that in which most persons probably would agree, that he had no objection in the abstract to such endowment. My own view differs even from that of my right hon. Friend the President of the Board of Trade. I do not admit that the claim of the Roman Catholics has been made good to the endowment of a College or University. I do not found that statement exclusively on the state of Protestant opinion. If that were all, I should be ready, for one, to oppose myself to the tide of that opinion, however strong it might be; but I think there are the best reasons, strong and obvious, which render it impossible to entertain with consistency or justice the question of Roman Catholic endowment. In the first place, the claim that is made is in direct opposition to the policy of 1869. If there is to be a Roman Catholic endowment, or the endowment of any other establishment, be it Magee College, or be it any other under ecclesiastical control—for Magee College is under the ecclesiastical control of the General Assembly, just as the Roman Catholic University is under the control of the Roman Catholic Prelates—then, I say, we were entirely wrong in 1869; and it is plain that the surplus of £5,000,000, which remained after satisfying vested interests, and after

making some concession to the House of Lords, in order not to lose our Bill, and after winding up the affairs of Maynooth and the *Regium Donum*, ought to have been divided among all the religious communions of Ireland, if the claim for endowment is a good one. But it is said we are about to pass a Bill which places the Roman Catholics on a footing of inequality. On the contrary, it is the claim advanced by the Roman Catholic Prelates that involves the principle of inequality. We have not endowed, nor are we now endowing, any other persuasion in Ireland. The Queen's Colleges have an endowment, but they are not given to one persuasion more than to another. It is said that Belfast is made to serve the purposes of the Presbyterians; but it offers no facilities to the Presbyterians beyond what it, and Galway and Cork, all of them offer to the Roman Catholics. Trinity College has an endowment: but it keeps that endowment only on condition of opening its doors and honours and emoluments to the different religious communities of Ireland without distinction, and with this condition, as we know perfectly well, the Roman Catholic authorities are not prepared to comply. But there is another reason which applies to all religious communities in Ireland; and I am bound to say it applies to the Roman Catholic Communion at the present moment with peculiar force. The claim of the Episcopate with regard to colleges and universities and institutions, as I understand it, is this—they demand that they shall be supreme in all matters of faith and morals, and they further demand that it shall rest with them exclusively to determine what matters are matters of faith and morals. If none of those who think that if the King of the Roman Catholic Church chooses to submit to these demands, it is his own good policy not to insist on our part to provide them, will say, as we do say now—"So long as you have claims, we shall not have free access to the University, College, and School." It is the most policy in the world; but it is the only way from them the means by which is to be secured that the settlements would first come



serious matter to propose that where these relations exist between the Episcopacy and the laity public endowment shall be given. The sentiments of the laity may change; they may begin to withhold this free submission; they may begin to do that which many think they have done at other periods of history, and may decline to acknowledge that sort of absolute domination which now appears to be established as the ruling system within the limits of the Roman Church. But if you give an endowment to a College which is founded on the principle of Episcopal absolutism, it becomes a means of fixing and perpetuating the relation of power on the side of the Bishop, and the relation of absolute submission and servitude on the side of the laity. Therefore, Sir, these appear to me to be reasons, quite irrespective of any abstract argument, of the most conclusive force against the demand that is made. If it is not—and I think it is not—our business to protect the Roman Catholic laity against a power which they acknowledge, neither is it our duty to do anything which would keep them in subjection to a power which they may desire to repudiate or restrain.

The hon. and learned Member for Oxford, in the course of his eloquent speech, said he entertained hope in the future. I have the fortune, or misfortune, to count almost 10 years for one of the political years of my hon. and learned Friend; I have little time before me, I have much behind; I have an account to render of the past and present; and though I have not, like him, the prospect of a future which I trust will be to him rich in all manner of prosperity and distinction, yet the duties of the moment are solemn duties. I desire to bequeath no embarrassments to the future. I wish to leave on record the strong conviction that I entertain, that it would be a grave and serious error on the part of this House, were they to give the slightest encouragement to the demand that is made for introducing into Ireland the system of separate endowment for separate religious institutions for academic purposes, and thereby distinctly to denounce and repudiate

the policy of 1869, to which the great majority of this House were parties, and which, I believe, none of us regret.

I have, Sir, endeavoured to go over the principal arguments of the opponents to the Bill. Let us now consider for a moment the actual position in which we are placed. This is a very grave matter in its bearing upon the present position of affairs, and, probably, upon the future destinies of these United Kingdoms. There is, I may now say confessed from every part of the House, though there may be individual exceptions, a real Irish grievance, suffered by a large part—chiefly, the Roman Catholic part—of the people of Ireland, in the matter of University education. We are desirous to remove that grievance; but, when we attempt to remove it, those who claim to represent the sufferers make other demands upon us which we deem unreasonable. The Bill gives a remedy as far as, in our view, reason and justice will go. That is not denied; but we are threatened that if we pass a Bill reaching to that extent, and reaching no further, we shall be punished with a loud and angry agitation in Ireland. I ask myself and I ask the House what is the best way to arm ourselves against agitation? The true, the honourable way, is to take out of the hand of the agitator the weapon which he wields, and out of his mouth the grievance which he pleads. If then, as we think, extravagant claims are going to be urged, and if an endeavour is to be made to use these claims against the moral and social tranquillity of Ireland, it is the more necessary that we should not allow them to retain any mixture, any element of truth and justice, and that we should carefully extract any such element from the mass. Then we shall know both what it is we have given and what it is we have refused. In our opinion, the true way to meet agitation is to cure the grievance. Whatever else you do, first cure the grievance. But what is the advice given on the other side? It is at least to the natural indolence of us as Members of the Government not wholly disagreeable; for it is to release us from our pledge.

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we are deeply bound, but the advice given to the House is to concur with a considerable number of Roman Catholic Members in the rejection of this Bill—to fling back in our faces the remedy we have offered, and thereby release, as it will release, us from further obligations. It may be convenient for us so to be released; but is it convenient for the welfare of the Empire to give us that release, and to hand onwards a grievance which has now been admitted in every portion of the House to exist, as an evil legacy to future Governments, future Parliaments, or future years, as the case may be? Sir, I hope that this House of Commons, which, in obedience to the conscientious convictions of its large majority, and animated as my right hon. Friend the Member for Liskeard truly said, by the love of justice, grappled with the great difficulties of the Irish Church and solved them—that this House of Commons, which likewise grappled with the difficulties attending the tenure of land in Ireland, and carried that question also to a successful conclusion, will not allow itself to be intimidated into an abandonment of its present task. After doing so much, do not grow pale before that which still remains undone. How do we stand with regard to the fulfilment of that task? What is the mode of action which is proposed on the other side? The right hon. Gentleman opposite told us that he was not anxious to lead what the citation made by my hon. Friend the Member for Waterford would describe as his “ragamuffins” into their present position. He does not wish, he says, to make this a party question. Might I be allowed to fill up the sentence for him by saying that possibly some while ago he saw no occasion to decide it; but now the Irish Members have invited him to their embraces, and he has found himself unable to resist the temptation offered by so great an opportunity. And what, let me ask, is the character of the Division which we are about to witness?—a Division which will be watched and examined—a Division which will not only be watched and examined, but which will be remembered and be judged.

The party which is called sometimes the Tory party, sometimes the Conservative party, sometimes the Church party, sometimes the Protestant party, powerful as it is in this House, is not powerful enough to give effect to its wishes by a majority. But there is a hope that by the accession of those who think we commit a gross injustice by declining to give a separate religious endowment to the Roman Catholics, their minority may be converted into a majority for the purpose of this particular vote. The Bill we are discussing may be rejected, and is that, I would ask, a safe foundation on which to build the hope of future power? Is that a mode of action which is conformable to the views and principles of the great statesmen of this country? Do not let it for a moment be supposed that I am casting a stigma on the conduct of those who, on this occasion, urge the Roman Catholic demands. It will ever be one of the agreeable recollections of my public life to have been united with them in honourable co-operation for the purposes of a great principle and a great policy on which we were both agreed. But my relations with those hon. Gentlemen were never built on the sandy foundation of accidental unions in the momentary act of crying nay with reference to a measure, as to the essential merits of which we were entirely at variance. Yet that is the nature of the alliance of to-night. The one party objects to our measure because it detaches the University of Dublin, and declines to leave it to the control of Trinity College, but claims it for the whole of the Irish nation, and vindicates the enjoyment of the advantages, which it is calculated to confer, for them and for their children in all time to come. That is the ground of the Conservative opposition. But the opposition of another party arises from the well-known refusal of the Government to recognize the principle of separate denominational endowment. No doubt there will be concord in the Lobby for a few moments between those two parties, but that concord will end when the Tellers come to the Table. On what plan of action have you decided? No doubt you will be a formidable

body ; for all I know you will be a majority. I see before me the party expectant of office. ["Oh !"] I mean no reproach. I mean, of course, expectant by virtue of its position. That is a fair description always to apply to Gentlemen who sit in combination on the Opposition Benches. I see that party reinforced to-night by that repentant rebel from below the Gangway, the hon. Member for Norfolk (Mr. G. Bentinek)—that old, inveterate rebel, believed to be incurable, but at last reclaimed. I always listen to that hon. Gentleman with interest. I am no favourite of his. I trust, however, there is no unkind feeling between us ; and, indeed, whenever I hear the hon. Gentleman begin a course of censure upon myself, I listen with great patience, because I know it will be followed by some much more severe attack upon the right hon. Gentleman opposite (Mr. Disraeli). But on this occasion the hon. Member for Norfolk—probably to be the "right" hon. Member for Norfolk in a few weeks—has made a revelation. I heard him say last night—I quote the words that are ascribed to him, and I believe they are those which he used—I heard him say that "he had listened with the  
 " greatest pleasure the other evening to the eloquent speech  
 " of the right hon. Member for Oxford University (Mr. G.  
 " Hardy), and he hoped he might draw from the speech of  
 " that right hon. Gentleman the conclusion that he and those  
 " prepared to act with him would not at any time, or under  
 " any circumstances, accept office during the continuance of  
 " the present Parliament. If he understood the right hon.  
 " Gentleman aright, he should say that that was the most  
 " fortunate and most statesmanlike announcement that had  
 " for a long time emanated from that bench, and he con-  
 " gratulated his right hon. Friend upon being the man who  
 " came forward boldly to make that announcement, which  
 " seemed to augur well for his future political career. If  
 " he (Mr. Bentinek) rightly construed that speech, he should  
 " not hesitate as to his vote, and should vote against  
 " the second reading of the Bill." Well, Sir, was that

announcement made? I heard the speech of the right hon. Gentleman the Member for the University of Oxford. I did not hear that announcement. Many of us heard the speech—none of us heard the announcement. I go a little further. The announcement was not made in the speech. If there has been such an announcement, it has come from some other source than from the speech. But has such an announcement been made? It is impossible. It is impossible that the Gentlemen who occupy the front bench of Opposition, who form Her Majesty's Opposition, who bring up their whole forces to overthrow the measure of the Government, can decline the responsibility of taking office. I believe it to be impossible that such an announcement can have been made, and if it has been made the hon. Gentleman is the victim of his own simplicity in believing that it can be acted on. So much, Sir, for the state of the case as regards the hon. Gentleman. But for the House, for us all, for the country, I ask what is to be the policy that is to follow the rejection of the Bill? What is to be the policy adopted in Ireland? Perhaps the Bill of my hon. Friend the Member for Brighton will find favour, which leaves the University of Dublin in the hands of Trinity College, and which I presume, if passed, will only be the harbinger of an agitation fiercer still than that which we are told would follow the passing of the present Bill. It will still leave the Roman Catholic in this condition—that he will not be able to obtain a degree in Ireland without going either to the Queen's Colleges, to which he objects, or placing himself under examinations and a system of discipline managed and conducted by a Protestant Board—a Board composed of eight gentlemen, of whom six are clergymen of the Disestablished Church of Ireland. The other alternative will be the adopting for Ireland a set of new principles, which Parliament has repudiated in Ireland and has disclaimed for Great Britain, not only treating the Roman Catholic majority in Ireland as being the Irish nation, but likewise adopting for that Irish nation the prin-



ciples which we have ourselves overthrown even within the limits of our own generation. I know not with what satisfaction we can look forward to these prospects. It is dangerous to tamper with objects of this kind. We have presented to you our plan, for which we are responsible. We are not afraid—I am not afraid—of the charge of my right hon. Friend that we have served the priests. [Mr. HORSMAN: I did not say so.] I am glad to hear it. I am ready to serve the priests or any other man as far as justice dictates. I am not ready to go an inch further for them or for any other man; and if the labours of 1869 and 1871 are to be forgotten in Ireland—if where we have earnestly sought and toiled for peace we find only contention—if our tenders of relief are thrust aside with scorn—let us still remember that there is a voice which is not heard in the crackling of the fire or in the roaring of the whirlwind or the storm, but which will and must be heard when they have passed away,—the still, small voice of justice. To mete out justice to Ireland, according to the best view that with human infirmity we could form, has been the work, I will almost say the sacred work, of this Parliament. Having put our hand to the plough, let us not turn back. Let not what we think the fault or perverseness of those whom we are attempting to assist have the slightest effect in turning us even by a hair's-breadth from the path on which we have entered. As we have begun, so let us persevere even to the end, and with firm and resolute hand let us efface from the law and the practice of the country the last—for I believe it is the last—of the religious and social grievances of Ireland.

